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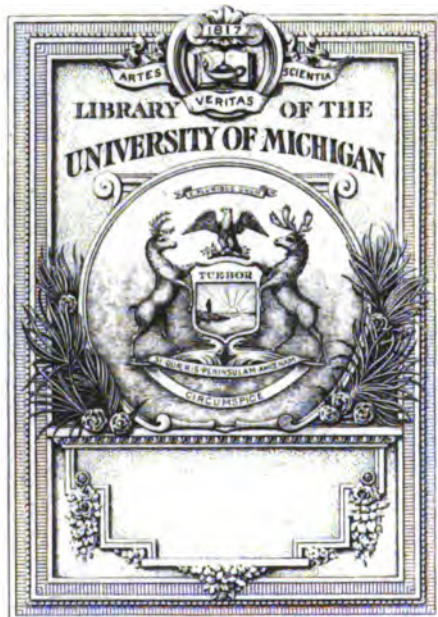
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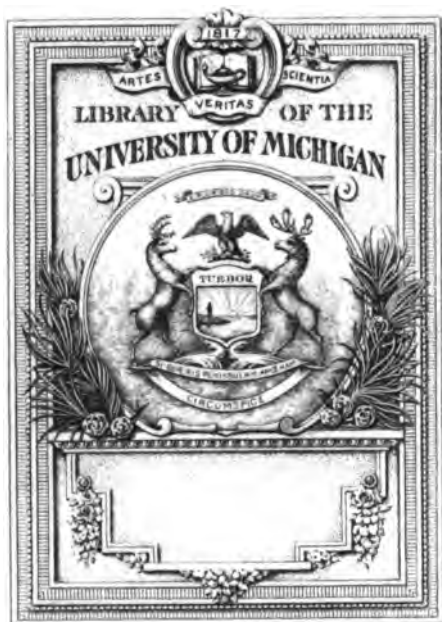
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SECOND ANNUAL REPORT

OF THE

COMMISSION OF GAS AND
ELECTRICITY .

5-27-07-750 (47-3698)

COMPLIMENTS OF

STATE OF NEW YORK
COMMISSION OF GAS AND ELECTRICITY

TRANSMITTED TO THE LEGISLATURE JANUARY 29, 1907.

ALBANY
J. B. LYON COMPANY, STATE PRINTERS
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STATE OF NEW YORK

No. 25.

IN SENATE

JANUARY 29, 1907.

ANNUAL REPORT

OF THE

COMMISSION OF GAS AND ELECTRICITY

OF THE STATE OF

STATE OF NEW YORK.

ALBANY, N. Y., *January 28, 1907.*

Hon. Lewis Stuyvesant Chanler, Lieutenant Governor:

SIR—The Commission of Gas and Electricity herewith submits to the Legislature its annual report for the year 1906.

Very respectfully, .

HENRY C. HAZZARD,

Secretary.



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REPORT OF THE COMMISSION OF GAS AND ELECTRICITY

STATE OF NEW YORK:

COMMISSION OF GAS AND ELECTRICITY,

ALBANY, January 28, 1907.

To the Honorable, the Legislature of the State of New York:

Pursuant to the requirements of chapter 737 of the Laws of 1905, the Commission of Gas and Electricity submits its second annual report.

The corporations, municipalities and individuals furnishing gas or electricity for light, heat or power in the State and under the supervision of the Commission number 435; the nominal capital engaged in the business is about \$546,000,000; the gross income from operation approximately \$75,000,000 per annum.

Coal, water, or mixed coal and water, gas is furnished by 51 of these plants; 166 furnish electricity; 51 supply both gas and electricity (of these 2 supply natural gas and 1 oil gas); 12 acetylene gas; 13 gasoline gas; and 42 natural gas. Of the municipalities, 3 are engaged in furnishing gas, acetylene or gasoline and 39 electricity. Of the individual plants, 39 supply electricity and 19 either water acetylene, gasoline or natural gas. Included among the electric companies are 15 transmitting high tension current.

APPLICATIONS.

During the year ending December 31, 1906, the Commission had before it for consideration seventy-four applications, upon all but three of which public hearings have been had.

The applications of seventeen companies for increase of stock and bonds were acted upon during the year. Sworn statements and testimony concerning the estimated cost of construction and

equipment and examination in detail as to the values of the plants and franchises and of the indebtedness of the companies formed the basis of the determination. Consent was granted to the issue of stock to the amount of \$5,348,000 out of a total of \$7,333,000 applied for, a reduction of \$1,985,000, or about 27 per cent. The issue of \$910,000 bonds was approved out of a total of \$1,350,000 applied for, a reduction of 31 per cent. The combined stock and bond issues proposed amounted to \$8,683,000. The amount granted was \$6,258,000, the reduction \$2,425,000, or about 24 per cent. The companies making these applications and the action of the Commission are given in the following table:

	INCREASE OF STOCK.		ISSUE OF BONDS.	
	Applied for.	Granted.	Applied for.	Granted.
Genesee County Electric Light, Power & Gas Co.....	\$150,000	None.	\$100,000	None.
Tianderoga Electric Light & Power Co.....	.....	.....	50,000	\$35,000
Niagara Falls Electrical Transmission Company.....	4,900,000	\$3,400,000	.....	.....
Wetmore Electric Co.....	40,000	20,000	.....	.....
Akron Natural Gas Company...	.....	.....	100,000	None.
Wallkill Valley E. L. & P. Co...	.....	.....	25,000	15,000
Boquet Electric Power Company	10,000	10,000	.....	.....
Southern Dutchess Gas & Electric Company.....	10,000	None.	90,000	None.
Ogdensburg Power & Light Company.....	.....	.....	100,000	75,000
Ogdensburg Gas Co.....	.....	.....	50,000	50,000
Kings County Electric Light & Power Company.....	1,800,000	1,800,000	.....	.....
The Southern Dutchess Gas & Electric Co.....	10,000	10,000	50,000	50,000
Middleville Electric Light Co...	8,000	8,000	.....	.....
Brooklyn Borough Gas Co.....	.....	.....	135,000	135,000
Poughkeepsie Light, Heat & Power Co.....	.....	.....	150,000	150,000
Sodus Gas & Elec. Co.....	5,000	None.	.....	.....
Paul Smith's El. Lt. & Power & R. R. Co.....	400,000	100,000	500,000	400,000
	<u>\$7,333,000</u>	<u>\$5,348,000</u>	<u>\$1,350,000</u>	<u>\$910,000</u>

The following table shows the new corporations which made application for certificates of authority to transact business and the amount of stock or bonds applied for and allowed. A reduction of about 28 per cent. of the capitalization applied for was ordered after inquiry in each instance as to the purposes to which the proposed issues of stock and bonds were to be devoted. Consent was denied to issues of stock and bonds for remote or possible

future development, further applications being allowable as such needs arose.

CERTIFICATES OF AUTHORITY.

NAME OF APPLICANT.	ISSUE OF STOCK.		ISSUE OF BONDS.	
	Applied for.	Granted.	Applied for.	Granted.
Broadalbin Electric Light & Power Co...	\$50,000	\$7,500	\$40,000	\$40,000
Parish Lighting Co.....	2,000	2,000	.....	.....
Paul Smith's Electric Light & Power Co.	100,000	75,000	.....	.....
Red Hook Light & Power Company...	25,000	12,000	20,000	10,000
Andover Electric Power & Light Co....	10,000	10,000	.....	.....
West Shore Gas Company.....	85,000	45,000	85,000	40,000
West Branch Light & Power Company..	50,000	50,000	50,000	45,000
Citizens Lighting Co. of Oswego.....	75,000	75,000	.....	.....
Eureka Gas Company.....	2,000	2,000	5,000	5,000
Cherry Valley Gas Co.....	10,000	6,000	.....	.....
Geneva-Seneca Elec. Co.....	100,000	100,000	.....	.....
The Pavilion Nat. Gas Co.....	100,000	100,000	.....	.....
	<u>\$609,000</u>	<u>\$439,500</u>	<u>\$200,000</u>	<u>\$140,000</u>

Municipalities desirous of engaging in the manufacture or supply of gas or electricity for other than municipal purposes are required by section 11 of the law to first obtain the consent of the Commission. The following is a list of such applications received and acted upon, with the amount of the proposed expenditures approved:

Village of Theresa.....	\$23,000
Village of Union.....	15,000
Village of Lake Placid.....	45,000

Certain applications involving transfer of franchises, works, system or property, or the acquirement of stock and bonds, filed with the Commission, are grouped separately in the following table, in which is also shown the action of the Commission:

Transfer of Franchises.

NAME OF COMPANY.	Transferee.	Action.
Andover Gas Co.....	Mutual Gas Co., Ltd.....	Approved.
Charles Tracy, et al.....	Mutual Gas Co., Ltd.....	Approved.
Stamford El. Lt. Co.....	West Branch Light & Power Co..	Approved.
Dunkirk Natural Gas Co.....	W. H. Frost.....	Approved.
Saranac Lake Light, Heat & Power Co..	Paul Smith's Electric Light & Power & R. R. Co.....	Approved.

Purchase of Securities.

NAME OF COMPANY.	Vendee.	Action.
Niagara Falls Gas & Electric Light Co..	Niagara Falls Electrical Transmission Company.....	Approved.
Albion Power Co.....	Niagara Falls Electrical Transmission Company.....	Approved.
Oyster Bay Electric Light & Power Co..	Nassau Light & Power Company.	Denied

COMPLAINTS AS TO PRICE.

No provision of the law has aroused such widespread public interest as that section conferring the power upon the Commission to fix the price of gas or electricity after a hearing. Complaints, as provided by section 15 of the law, may be made in writing by the mayor of a city, the trustees of a village, or the town board of a town, or by not less than one hundred customers of the company complained of, and after a hearing and investigation (section 17) the Commission may fix the maximum price which shall be charged, and may, upon its own initiative, order such improvements in the manufacture or supply of gas or in the manufacture, supply or transmission of electricity or in the methods employed as will in its judgment improve the service.

The following complaints during the year received the attention of the Commission:

NAME OF COMPANY.	Complainant
The Consolidated Gas Company of New York.....	Customers.
The New Amsterdam Gas Company.....	Customers.
The Brooklyn Union Gas Company.....	Customers.
The Standard Gas Light Co.....	Customers.
The Central Union Gas Co.....	Customers.
The Northern Union Gas Co.....	Customers.
New York Mutual Gas Light Co.....	Customers.
Syracuse Lighting Co.....	Mayor.
Auburn Gas Company.....	Mayor.
Plattsburg Light, Heat & Power Company.....	Mayor.
Lozier Light & Power Co. of Plattsburg.....	Mayor.
Municipal Gas Co. of Albany.....	Customers.
Albany Electric Illuminating Co.....	Mayor.
Buffalo Gas Company.....	Mayor.
Buffalo Natural Gas Fuel Co.....	Mayor.
Nyaack Gas Light & Fuel Co.....	Town Board.
Rockland Light & Power Co.....	Town Board.
Watertown Gas Company.....	Customers.
Watertown Gas Company.....	Mayor.
Watertown Electric Light Co.....	Mayor.
Westchester Lighting Co. of Mt. Vernon.....	Mayor.

The complaints against the following companies: Consolidated Gas Company, New Amsterdam Gas Company, Brooklyn Union Gas Company, Standard Gas Light Company, Central Union Gas Company, Northern Union Gas Company, New York Mutual Gas Light Company — all operating in New York city, were filed soon after the organization of the Commission. Proceedings upon all of said complaints were consolidated and continuous hearings were held until February, 1906, at which time orders were issued fixing the price of gas in the boroughs of Manhattan and the

Bronx at 80 cents and 85 cents per thousand cubic feet respectively, as against \$1 and \$1.25 per thousand previously charged. The order also covered the illuminating power, purity and pressure of gas, the investigations of which subjects were made upon the initiative of the Commission. The Legislature thereafter, by the passage of what is known as the Eighty Cent Gas Bill, fixed the price of gas in these boroughs and in the borough of Brooklyn.

In the matter of the complaint of the mayor of Syracuse against Syracuse Lighting Company, complaining of prices charged for both gas and electricity and of the illuminating power, purity and pressure of the gas and of the power and intensity of electric lighting, hearing was begun January 20, 1906, and after an investigation, in which the city and the company were represented by counsel, the Commission made an order fixing the maximum price of gas at 95 cents per thousand cubic feet, the maximum price of commercial electric lighting at 9 cents per kilowatt hour the first year and 8 cents thereafter, and \$68 for arc lamps for street lighting. The rates formerly charged were \$1.20 per thousand for gas, with 20 cents discount for prompt payment; 12 cents per kilowatt hour for commercial electric lights, with 2 cents discount; and \$85.77½ for arc lamps. Eighteen candle-power was established for the illuminating power of the mixed gas furnished; a standard of purity was provided, and pressure was fixed at not less than that of a column of water one inch in height.

A hearing and investigation was begun on the complaint of the mayor of the city of Auburn as to the price, purity and quality of gas supplied in that city by the Auburn Gas Company. An agreement was reached at the close of the complainant's case. The agreement resulted in a reduction of the price charged for gas from \$1.35 per thousand gross and \$1.25 per thousand net to \$1.13 per thousand net until the year 1909, for which year the rate was fixed at \$1.08 per thousand net, and for the year 1910 and thereafter at \$1 per thousand net. The agreement further provided for eighteen candle-power gas containing not less than 600 British thermal units per cubic foot and a pressure not to exceed three and a half inches.

The complaints of the mayor of Plattsburgh as to the price of gas supplied by the Plattsburgh Light, Heat and Power Company and of the price charged for electric street service furnished by the Lozier Light, Heat and Power Company were also adjusted after the Commission began its investigation. The terms of the

agreement provided a price of \$1.40, \$1.50 and \$1.80 per thousand cubic feet net for gas for lighting purposes and \$1, \$1.15 and \$1.40 per thousand net for gas for heating, dependent upon the amount of gas consumed, as against a former charge of \$2.50 per thousand gross for lighting, with 20 to 40 per cent. discount, and \$1, \$1.25 and \$1.50 per thousand feet for heating. The price of electricity for commercial lighting purposes was reduced from a sliding scale of 20 cents to 6 cents per kilowatt hour to a rate of 12 cents, 8 cents and 6 cents per kilowatt hour.

Hearings and investigations have been begun and are now proceeding upon the other complaints above enumerated.

The investigation begun upon the complaints against Municipal Gas Company of Albany and the Albany Electric Illuminating Company has been stayed by preliminary injunctions in proceedings instituted by the companies to obtain writs of prohibition.

The various companies in New York City affected by the order of the Commission and the "Eighty Cent Gas Act" have commenced an action in the United States Circuit Court for the southern district of New York and have obtained an injunction restraining the enforcement of the order and the legislative act. Hearings thereon were begun July 16, 1906, before a Master appointed by the court, and are still pending.

An appeal from the order of the Commission, made as a result of the investigation of the Syracuse Lighting Company, has been taken to the Appellate Division of the Supreme Court in and for the Fourth Department, and a stay of proceedings therein obtained.

VOLUNTARY REDUCTIONS OF PRICE.

During the past year voluntary reductions in the price of gas and electricity have been made by a large number of the lighting companies of the State, in many cases after conferences with the Commission. The following list shows the companies making such reductions, the territories benefited and the dates when the new rates became effective. The rates are hereinafter given in detail.

Companies Reducing Price of Gas.

NAME.	Territory.	Date.
Rome Gas, Electric Light & Power Co.....	Rome.....	April 1, 1906
Cohoes Gas Light Co.....	Cohoes.....	May 1, 1906
The Poughkeepsie Light, Heat & Power Co...	Poughkeepsie.....	May 1, 1906
Binghamton Gas Works.....	Binghamton.....	Jan. 1, 1906
Troy Gas Co.....	Troy and Waterford....	June 1, 1906
Peekskill Lighting & R. R. Co.....	Peekskill.....	July 1, 1906
Lockport Gas & Electric Light Co.....	Lockport.....	Sept. 1, 1906
Kingston Gas & Electric Co.....	Kingston.....	Nov. 1, 1906
Fulton County Gas & Electric Co.....	Gloversville and Johnstown.....	Jan. 1, 1906
Peoples Gas & Electric Co.....	Oswego.....	Jan. 1, 1906
Suffolk Gas & Electric Light Co.....	Bay Shore, Islip and East Islip.....	Mar. 1, 1906
Ithaca Gas Light Co.....	Ithaca.....	Sept. 1, 1906
Oneonta Light & Power Co.....	Oneonta.....	Jan. 1, 1907
Orange County Lighting Co.....	Middletown.....	Jan. 1, 1907

The companies in the foregoing list have an aggregate annual output, to which the reduction in price applies, of approximately 840,000,000 cubic feet.

Companies Reducing Price of Electricity.

NAME.	Territory.	Date
Buffalo General Electric Co.....	Buffalo.	
Commercial lighting.....		May 1, 1906
Public.....		June 1, 1906
Troy Gas Company.....	Troy.	
Commercial lighting.....		June 1, 1906
Public lighting.....		June 1, 1906
Beacon Electric Company.....	Troy.	
Public lighting.....		June 1, 1906
Lockport Gas & Elec. Lt. Co.....	Lockport.	
Commercial lighting.....		June 1, 1906
Public lighting.....		Sept. 8, 1906
Rochester Railway & Light Co.....	Rochester.	
Commercial lighting.....		June 1, 1906
Public lighting.....		July 1, 1907
Municipal Gas Company.....	Albany.	
Public lighting.....		June 21, 1906
Herkimer County Light & P. Co.....	Little Falls.	
Public lighting.....		Jan. 1, 1907
Cortland County Traction Co.....	Cortland.	

Companies Reducing Price of Electricity—Continued.

NAME.	Territory.	Date.
Commercial lighting.....		Oct. 1, 1906
Public lighting.....		Jan. 1, 1907
Rockland Light & Power Co.....	Nyack.	
Public lighting.....		April 1, 1906
Nassau Light & Power Co.....	Roslyn, Oyster Bay and various towns and villages in Nassau County.	
Commercial lighting.....		Summer rates
Cohoes Gas Light Co.....	Cohoes.	
Power.....		June 1, 1906
Suffolk Gas & El. Lt. Co.....	Bay Shore.	
Commercial lighting.....		Mar. 1, 1906
Utica Gas & Electric Company.....	Utica.	
Public lighting.....		Jan. 1, 1907
Saranac Lake Light, Heat & Power Co.....	Saranac Lake.	
Commercial lighting.....		June 1, 1906
Montgomery Electric Light & Power Co.....	Canajoharie and Palatine.	
Commercial lighting.....		Sept. 1, 1906
Public lighting.....	Canajoharie.	April 15, 1907
Ellenville Electric Lt. Co.....	Ellenville.	
Commercial lighting.....		April 1, 1906
Empire State Power Co.....	Oneida.	
(Old contract with Madison County Gas & Electric Company.)		
Public lighting.....		Jan. 1, 1907
*Tonawanda Power Co.....	Tonawanda and North Tonawanda.	
Commercial lighting.....		Dec. 1, 1905
Oneonta Light & Power Co.....	Oneonta.	
Commercial lighting.....		Jan. 1, 1907
Schenectady Illuminating Co.....	Schenectady.	
Commercial lighting.....		Jan. 1, 1907
East Creek Electric Light & Power Company.	St. Johnsville.	
Commercial lighting.....		Aug. 1, 1906
*Keeseville Electric Company.....	Keeseville, Ausable Chasm, Port Kent and Peru.	
Commercial lighting.....		Nov. 1, 1905
Chatham Electric Light, Heat & Power Co..	Chatham.	
Public lighting.....		Feb. 1, 1906
*Rome Gas, Electric Light & Power Co. . .	Rome.	
Commercial lighting.....		Dec. 30, 1905
Ballston Spa Light & Power Co.....	Ballston Spa.	
Public lighting.....		Dec. 1, 1906
Yonkers Electric Light & Power Co.....	Yonkers.	
(Municipal buildings).....		Jan. 1, 1906
Edison Electric Light & Power Co.....	Amsterdam.	
Commercial lighting.....		April 20, 1906
Public lighting.....		Jan. 1, 1907
Malone Light & Power Co.....	Malone.	
Commercial lighting.....		Jan. 1, 1906
Kingston Gas & Electric Co.....	Kingston.	
Commercial lighting.....		Jan. 1, 1906
Northern Westchester Lighting Company...	Ossining and Croton.	
Commercial lighting.....		Feb. 1, 1906
Genesee Gas Light Co.....	Genesee.	
Commercial lighting.....		July 1, 1906
*United Gas, Electric Light & Fuel Co..	Sandy Hill, Fort Edward and So. Glens Falls.	
Public lighting.....		June 6, 1905
Public lighting.....		Sept. 5, 1905
Commercial lighting.....		Sept. 1, 1905

*Not received in time to insert in first report.

UNIFORM SYSTEM OF ACCOUNTS.

Early in the year a letter was addressed to the various companies in the State notifying them that the Commission had under consideration the preparation of a uniform system of bookkeeping and inviting them to furnish a classification of accounts employed and to offer suggestions in the premises. Responses were received from many of the companies. In connection with this work, the Commission prepared a form of annual report of corporations and embodied therein such uniform classifications as admit of an intelligent comparison of results. With this as a basis, there has been outlined for adoption a system of accounting which, while uniform, must of necessity be adapted to small as well as large companies. Before final adoption, a hearing will be given the companies.

ANNUAL REPORTS OF COMPANIES.

The form of annual report of corporations referred to in the preceding paragraph was forwarded to all companies and municipalities June 1, 1905. A separate form was adopted for plants owned by individuals. The period covered by these reports was the year ending June 30, 1906, and the time fixed for filing the same September 15, 1906. The companies have in the main responded to the directions of the Commission. It should be stated that this year marks the first presentation to the companies of a complete and detailed form of report. Consequently, the submission of the information required by the reports was delayed in some instances and a number were not filed at the end of the year. Reports to the Commission show outstanding stock and bonds of operative companies and amounts invested in plants owned by municipalities and individuals, as follows:

Outstanding Stock and Bonds of Operative Companies.

CLASSIFICATION OF COMPANIES.	No.	1906.
		Stock and bonds outstanding
Coal and water gas.....	51	\$232,901,200
Electric.....	162	204,348,387
Gas and electric.....	51	101,406,840
Oil gas.....	13	43,550
Acetylene gas.....	12	61,075
Natural gas.....	41	6,419,850
		<u>\$545,180,902</u>

Amounts invested in Municipal and Individual Plants.

CLASSIFICATION OF PLANTS.	No.	1906. Amount invested.
Municipal gas.....	3	\$14,000
Muni pal electric.....	35	877,426
Electric, individual.....	40	317,774
Oil gas, individual.....	3	16,268
Acetylene gas, individual.....	13	25,545
Natural gas, individual.....	2	*500
		\$1,251,513

Note:— Any variation in the tabulations from the above totals is to be accounted for by the fact that the reports to June 30, 1906, received since Jan. 1, are incorporated in the tabulations.

The aggregate capital represented in these two tables and employed under the supervision of the Commission is \$546,432,415, an increase over 1905 of approximately \$7,000,000. The increase is explained in the natural growth of the gas and electric industries in the State, the formation of new companies and the extension of business of old companies. No comparison is made here with the figures furnished the Commission for 1905 because such figures were of necessity incomplete. The Commission was not created until the summer of that year and the time was not sufficient to permit all companies coming under its supervision to make reports.

The amount of coal and water gas sold to consumers and for public lighting was 34,738,143,747 cubic feet as against 29,569,810,417 cubic feet for the preceding year, an increase of 17 per cent., and the total amount of gas sold by all companies, including acetylene, gasoline and natural gas is 39,858,755,381 cubic feet as against 37,914,016,400 cubic feet for the preceding year, an increase of about 5 per cent.

The number of open arc lamps employed in street lighting by electric companies decreased from 9,191 to 8,605, and the number of enclosed arcs increased from 24,055 to 25,767. 50,101 incandescents are employed in street lighting.

*One plant.

INSPECTION OF GAS.

Although gas for illuminating purposes has been supplied in this State since 1823, no regular or systematic inspection or examination has been made of the purity and illuminating value of the product supplied, except in the City of New York, until the past year when the Commission established a department for such purpose. The results of the tests of gas made throughout the State by the Commission have been tabulated and the data obtained will enable the Commission to definitely fix standards of purity, quality and candle power. After a hearing, as required by law, an order will be issued requiring all companies furnishing 15,000,000 or more cubic feet of gas annually to install an improved photometer for use in making frequent tests for candle power. Standards of candle power and purity of the various kinds of gas furnished have been determined, and these standards, subject to possible modifications, will be fixed by an order of the Commission after the companies have been heard.

The gas of thirty-seven companies was tested in the following places: Albion, Auburn, Batavia, Bath, Binghamton, Brockport, Buffalo, Canandaigua, Cohoes, Cooperstown, Corning, Cortland, Dansville, Dunkirk, Elmira, Fredonia, Geneseo, Geneva, Ithaca, Kingston, LeRoy, Lockport, Mechanicville, Medina, Niagara Falls, Oneida, Oneonta, Oswego, Owego, Rochester, Schenectady, Syracuse, Tonawanda, Troy, Utica, Waverly and Warsaw.

Of the companies whose product was tested, twenty-two supply coal gas, ten water gas, four mixed gas comprised of coal and water gas in varying proportions, and one natural gas. In a number of instances, especially coal gas, the candle power was found to be very low, owing generally to the disinclination to use enrichers, but due in some cases to lack of capacity in the works and to the age and condition of the apparatus in use. It is the policy of the Commission to report results of the tests to the companies and to order improvements where deficiencies are discovered. So far as the tests made may be taken as an index of the quality of gas being supplied in the State, the following general results are shown in the accompanying tables, although it is not to be assumed that one test in each instance furnishes an adequate basis for accurate conclusions.

Coal Gas Companies.

	Average.	Highest.	Lowest.
Candle power.....	14.96	20.9	10.2
Sulphur (grains per 100 cu. ft.).....	13.9	20.3	6.0
Ammonia (grains per 100 cu. ft.).....	4.40	36.4	1.-
Pressure (in inches).....	2.63	5.0	0.9

Sulphuretted hydrogen present in five tests.

Water Gas Companies.

	Average.	Highest.	Lowest.
Candle power.....	18.75	27.2	8.8
Sulphur (grains per 100 cu. ft.).....	10.7	19.9	5.7
Ammonia.....	1.-	1.-	1.-
Pressure (in inches).....	2.65	4.1	1.5

Sulphuretted hydrogen present in three tests.

Mixed Gas Companies.

	Average.	Highest.	Lowest.
Candle power.....	18.60	19.6	16.4
Sulphur (grains per 100 cu. ft.).....	14.3	16.9	10.8
Ammonia.....	1.-	1.-	1.-
Pressure (in inches).....	2.18	2.9	1.2

Sulphuretted hydrogen not found in any of these tests.

INSPECTION OF GAS METERS.

The report of the State Inspector of Gas Meters to the Commission for the period from December 1, 1905 (date of last report) to December 31, 1906, shows the entire number of gas meters inspected and sealed by the department was as follows:

New Meters.....	139,149
Repaired Meters	206,161
Private Meters	5,548
	350,858

The result of the tests of private meters during the year shows that out of a total of 5,548, 1,446 were found to have run fast, 883 slow and 3,219 correct, giving an average of 60 per cent. correct, 15 per cent. slow and 25 per cent. fast meters.

The proof of the fast meters did not exceed 15 per cent. and the entire number showed an average of from 6 to 7 per cent. In all cases where it has been shown as a result of such tests that an excessive charge has been made, a certificate to that effect is issued by the Inspector to the consumer, and a rebate covering the amount of the excessive charge is allowed by the company affected.

ACCIDENTS.

Five hundred and forty accidents were reported to the Commission during the year. Of these, 439 were minor accidents. A classification has been made of the 101 remaining cases; 28 fatal accidents are shown among these, 9 of which were caused by gas and 19 by electricity; of the non-fatal accidents, 40 were caused by electricity and 33 by gas. The form of report requires detailed statements of all accidents, in order that directions may be issued to prevent recurrence so far as possible when the accident is the result of defective apparatus or improper operation.

HIGH POTENTIAL LINES.

Long distance transmission of electricity for general power and lighting purposes at relatively high voltages is increasing throughout the State. The line construction of the companies engaged therein is special as to insulators, poles and safety devices, on account of the increased hazard due to the high voltages employed. The various companies have installed lightning arresters at all generating and receiving stations and in some cases along the line. Of the transformers in use on high tension lines, 12,770 kilowatts are oil-cooled, 87,581 air-cooled, 23,750 water-cooled and 52,150 oil-insulated and water-cooled, a total of 176,251 kilowatts in stations and sub-stations. A list of the plants, giving some important details, as of December 1st, follows:

NAME OF COMPANIES.	System used.	Voltage of line.	Conductor used.	Kind of insulators.	Line support.	Power transmitted.	Distance of transmission.
Niagara, Lockport & Ontario Power Co.	Three phase.	60,000	Copper and aluminum	Porcelain.	Towers.	10,000 kw.	165 miles.
Herkimer County Light & Power Co.	Three phase.	22,000	Copper.	Porcelain.	Poles, wood.	1,200 kw.	12 miles.
Wetmore Electric Co.	Three phase.	22,000	Copper.	Porcelain.	Poles, wood.	350 kw.	12 miles.
Albany & Hudson Railroad Co.	Three phase.	11,000	Copper.	Porcelain.	Poles, wood.	2,200 kw.	35 miles.
Northern Power Co.	Three phase.	22,000	Aluminum.	Porcelain.	Poles, wood.	700 kw.	27 miles.
Deposit Electric Co.	Three phase.	6,600	Copper.	Porcelain.	Poles, wood.	85 kw.	10 miles.
Carthage Electric Light & Power Co.	Three phase.	22,500	Copper.	Porcelain.	Poles, wood.	350 kw.	18 miles.
Upper Hudson Electric Co.	Two phase.	11,500	Copper.	Glass.	Poles, wood.	30 kw.	6 miles.
Utica Gas & Electric Co.	Three phase.	23,000	Copper and aluminum.	Porcelain.	Poles, wood.	5,000 kw.	15.5 miles.
East Creek Electric Light & Power Co.	Three phase.	16,000	Copper.	Glass and porcelain.	Poles, wood.	600 kw.	18 miles.
Rockland Light & Power Co.	Three phase.	16,000	Copper.	Glass.	Poles, wood.	200 kw.	8 miles.
Albion Power Co.	Three phase.	6,600	Aluminum.	Glass.	Poles, wood.	350 kw.	.....
Hudson River Electric Power Co.	Three phase.	12,000	Copper.	Porcelain.	Towers and poles.	30,000 kw.	35 miles.
Niagara Falls Power Co.	Three phase.	22,000	Copper and aluminum.	Porcelain.	Poles, wood & concrete.	30,000 kw.	22.5 miles.
Lozier Light & Power Co.	Three phase.	11,000	Copper.	Porcelain.	Poles, wood.	600 kw.	3 miles.

MISCELLANEOUS COMPLAINTS.

In addition to the complaints as to the price, purity and pressure of gas or electricity received during the year, the Commission has received and adjusted a number of minor complaints, the more important of which, so far as its effect upon the general public is concerned, had to do with the distribution, as between a company and a consumer, of the cost of laying service pipes. The Commission in this case placed the cost of laying the service pipes from its mains to the street line upon the company in question. This ruling relieves the consumer of the cost of laying service pipes on other than his own property.

Other complaints adjusted were from individuals and had to do with the question of deposits, the registering of gas meters, the registering of electric meters, defective current and candle power of electricity, and defective wiring and insulation.

APPLICATIONS PENDING DECEMBER 31, 1906.

Buffalo Natural Gas Fuel Co.....	Mayor's complaint as to price of natural gas, etc.
Municipal Gas Co. (Albany).....	Customers' complaint as to price of gas, etc.
Albany Electric Illuminating Co.....	Mayor's complaint as to price of electricity, etc.
Rockland Light & Power Co. and Nyack Gas Light & Fuel Co.....	Complaint of the Board of the Town of Orangetown (Nyack) as to price of gas and electricity etc.
Buffalo Gas Co.....	Complaint of the Mayor as to price of gas, etc.
Watertown Electric Light Co. and Watertown Gas Light Co.....	Complaints of the Mayor and customers' complaint as to the price of gas and electricity.
Watertown Light & Power Co.....	Application for consent to acquire the plants and franchise of the Watertown Gas Light Co. and Watertown Electric Light Co. and for consent to issue bond to the amount of \$1,000,000 of an issue of \$1,500,000 and to issue \$400,000 preferred and \$400,000 common stock.
Rochester Railway & Light Co.....	Complaint of the Mayor as to price of gas and electricity, etc.
New York & Ontario Power Co.....	Application for certificate of authority to transact business and for consent to issue \$2,000,000 bonds and \$2,000,000 stock.

Applications Pending December 31, 1906.

Elmira Water, Light & R. R. Co.....	Application to increase its capital stock from \$1,000,000 to \$2,000,000 and to issue bonds to the amount of \$5,000,000.
Port Henry Light, Heat & Power Co.....	Application for consent to transact business and to issue \$100,000 stock.
Westchester Lighting Co.....	Mayor's complaint as to price of gas and electricity, etc.
Onondaga Lighting Co.....	Application for certificate of authority to transact business and for consent to issue \$1,000,000 stock.
Delaware & Otsego Light & Power Co.....	Application for certificate of authority to transact business and for consent to issue \$35,000 stock and \$35,000 bonds.
Fenimore Electric Light Co.....	Application for certificate of authority to transact business and for consent to issue \$10,000 stock.
Syracuse Lighting Co.....	Application for consent to increase its capital stock from \$4,000,000 to \$9,000,000.
Syracuse Lighting Co.....	Application for consent to lease its property and franchises.
Frost Gas Co.....	Application for certificate of authority to transact business and for consent to issue \$50,000 stock.
Fulton Chain Electric Co.....	Application for certificate of authority to transact business and for consent to issue \$5,000 stock.
Fulton Light, Heat and Power Co.....	Application for consent to increase its capital stock from \$150,000 to \$300,000.

The status of these cases is as follows: The Albany complaint cases are stayed by temporary injunctions. In three applications the evidence is closed and the cases submitted awaiting determination. The three Watertown complaint cases have been consolidated and are proceeding as one. The applications of the Onondaga Lighting Company and Syracuse Lighting Company were also consolidated and the taking of evidence in the proceedings closed. Briefs of counsel are to be filed on or before January 11, 1907.

HOLDING COMPANIES.

The attention of the Legislature is called to the formation of so-called "holding companies," under the business corporation law.

These companies have power to acquire the securities of lighting companies and issue their own securities in exchange. Such companies and their capitalization do not come within the supervision of this Commission.

LEGISLATION.

The passage of the act creating the Commission was the first effective attempt on the part of the State government to bring under its control and supervision the gas and electric companies of the State. Such a statute necessarily could not embrace every detail of the important regulation of such corporations. The Commission is of the opinion that certain modifications of the statute would materially inure to the benefit of the State, the consumers and the companies themselves.

The Commission believes that the law should be made more liberal in regard to the matter of complaints as to the price of gas or electricity. As the statute now stands, it requires the same number of consumers in a small community to make complaint as it does in the largest city in the State. The law makes an investigation as to price, etc., dependent upon the complaint of the proper municipal authorities or 100 or more customers. The number of customers necessary to make a complaint should be graduated according to the population in the territory served. The Commission recommends that the law be amended so that complaint may be made by twenty-five customers in the territory served where it contains less than 1,000 population, by fifty customers where the population is between 1,000 and 5,000, and by seventy-five customers where the population is between 5,000 and 10,000, and 100 in all other places. This would make it possible for the consumers in any community in the State, who consider themselves aggrieved, to have an investigation and the price regulated.

The Commission also recommends an amendment to the law which will require a company incorporated before the law went into effect to obtain the consent of the Commission before exercising its powers under a franchise hereafter obtained from the local authorities. Such companies are now free to invade the territory of established companies without first obtaining the consent of the Commission.

In this connection, the law should also be amended so as to permit the Commission to revoke a certificate of authority to transact business where the construction of the plant is not begun in good faith within a certain period from the date of issuing such a certificate. A company granted a certificate, but inactive, should not stand in the way of other enterprises.

As the law now stands, the price fixed by the Commission for gas or electricity shall be the maximum price to be charged for a term of three years, "and until, after the expiration of such term such Commission shall upon complaint * * * * again fix the price of such gas or electricity." No provision is made for a revision of prices after the expiration of the three years' term upon the application of the company. As a matter of fairness, an amendment should give the company the right to apply to the Commission for a revision, as changing conditions may increase the cost of production and distribution.

The law should require municipalities engaged in operating gas or electric plants to make an annual report to the Commission and should remove any doubt as to the application of chapter 737 of the Laws of 1905 to natural gas companies.

An amendment to section 9, subdivision 6, of chapter 737 of the Laws of 1905, should prescribe a penalty for failure to make the annual report to the Commission within the time prescribed by it.

Provision should be made for a penalty to be imposed upon such companies as shall fail to maintain the standard of purity, pressure and candle power fixed by the Commission.

ISSUE OF STOCK.

NAME OF CORPORATION.	Location.	Present capital stock.	Amount of issue applied for.	Amount allowed.	Date of order.
The Genesee County Electric Light, Power & Gas Co.	Batavia.	\$100,000	\$150,000	Denied.	Jan. 18, 1906
Niagara Falls Electrical Transmission Co.	Niagara Falls.	100,000	4,900,000	\$3,400,000	Mar. 2, 1906
Wetmore Electric Co.	Lowville.	40,000	40,000	20,000	Mar. 28, 1906
Bouquet Electric Power Co.	Willisboro (Essex Co.) ...	5,000 (pref.)	5,000 (pref.)	5,000 (pref.)	{ July 27, 1906 Oct. 10, 1906
Middleville Electric Light Co.	Middleville.	5,000 (com.)	5,000 (com.)	5,000 (com.)	
Kings County Electric Light & Power Co.	Borough of Brooklyn, City of New York.	4,000	8,000	8,000	{ Oct. 25, 1906 Nov. 22, 1906
Paul Smith's Electric Light & Power & Railroad Co.	Paul Smith's and Saranac Lake.	8,200,000	1,800,000	1,800,000	
Sodus Gas & Electric Co.	Sodus.	100,000	400,000	100,000	{ Nov. 22, 1906 Dec. 13, 1906
		(75,000 issued)	5,000	(125,000 to be issued.)	
		15,000		Denied.	

In the Matter of the Application of the Genesee County Electric Light, Power and Gas Company for consent to increase its capital stock from \$100,000 to \$250,000 and for consent to issue \$100,000 preferred and \$100,000 common stock and \$100,000 bonds.

The Genesee County Electric Light, Power and Gas Company was organized for the purpose, among others, of supplying and distributing electric current for light, heat and power in the towns and villages of Genesee county. The amount of the authorized capital stock was \$100,000. The company filed a petition with the Commission December 9, 1905, for consent to increase this amount to \$250,000, and for further consent to issue \$100,000 first mortgage 5 per cent. twenty-year bonds. Hearings were held pursuant to public notices, at which no opposition to the granting of the petition developed. Richard Carhart appeared for the applicant. From the papers in the case and at the hearings it appeared that the petitioner was not a generating company; that the electric current which they proposed to furnish was to be obtained from the Niagara, Lockport and Ontario Power Company under a contract entered into between the Niagara company on the one part and Frederick M. Harris and others on the other part and assigned to the petitioner by Harris and associates. Under this contract the petitioner is to receive current for a period of twenty-five years from the 1st of January, 1906, in the minimum quantities as follows: 500 horsepower the first year, 750 horsepower the second year, and 1,000 horsepower the third year and each year thereafter. Through this contract the petitioner became, in general, the distributing agent of the power company in Genesee county, the power company reserving however, the right to sell to railway companies and to companies or individuals that demanded 200 horsepower or more.

In consideration for this contract and \$80,000 cash to be paid to it, the Genesee company proposed to issue \$200,000 par value of its stock and \$100,000 of bonds. The company owned substantially no tangible property. The engineering estimate of the requirements of building the plant and substations, distributing system, etc., was about \$330,000.

The Commission January 18, 1906, adopted the following:

Ordered, That the said petition be and the same is hereby denied.

In the Matter of the Application of Niagara Falls Electrical Transmission Company for permission to increase its capital stock from \$100,000 to \$5,000,000 and to purchase certain stock, bonds and obligations of other companies.

The Niagara Falls Electrical Transmission Company, with an authorized and outstanding capital stock of \$100,000 and an authorized bond issue of \$70,000, of which \$59,790 had been issued, applied to the Commission December 30, 1905, for consent to increase its capital stock to \$5,000,000. The company had formulated extensive plans to build transmission lines from the city of Niagara Falls to a distribution point in the city of Buffalo, a distance of twenty miles, at an estimated cost of \$200,000, and from the city of Niagara Falls to a distribution point in the city of Rochester, a distance of eighty miles, at an estimated cost of \$800,000. The plans further provided for the securing of necessary rights of way 100 feet wide, the equipment of necessary power transforming stations, the construction and equipment of power, light and distribution plants and systems in the towns, villages and cities in the counties of Niagara, Erie, Monroe, Orleans and Genesee, and for retiring the bonded indebtedness above mentioned. Included in the plan, and for which the consent of the Commission was also asked, was the purchase of certain bond and mortgage of the Albion Power Company, amounting to \$105,364, the purchase of certain of the capital stock and certain of the bond and mortgage and other obligations of the Niagara Falls Gas and Electric Light Company, amounting to \$306,564.63, and the reconstruction of and making additions to the plants of each of these companies, for which the further amount of \$450,000 was proposed to be expended. The Albion Power Company was at this time owned and operated by the petitioner, more than two-thirds of its stock having been acquired, and the proposed purchase; if executed, of the securities of the Niagara Falls Gas and Electric Light Company would also give control of that company to the transmission company.

The Niagara Falls Gas and Electric Light Company was incorporated in 1900, and owned a gas plant in the city of Niagara Falls with holders having a capacity of 70,000 cubic feet and mains and service pipes, and an electric light distributing system in the village of La Salle and a small distributing system in Niagara Falls not in use, and was the owner of various franchises for gas and electricity from the city of Niagara Falls and other

towns. The authorized capital stock was \$200,000 and the amount issued and outstanding \$150,000, and the outstanding indebtedness consisting of first mortgage, first consolidated mortgage and third mortgage bonds amounting to \$306,504.63.

The Albion Power Company was incorporated in 1898, and owned developed water-power plants at Middleport, Waterport and Carlton and an electric light and power distribution plant at Middleport, a power transmission line from Waterport to Carlton station and one from Waterport to Albion, with an electric light and power distribution plant, and a gas manufacturing and distribution plant at Albion, also a transmission line from Albion to Brockport and an electric light and power distribution plant at Brockport. The authorized capital stock of the Albion Power Company was \$200,000, of which \$194,900 was issued and outstanding; \$171,100 of this amount was owned by the petitioner. The property of the Albion company was encumbered by various mortgages aggregating \$285,200, and the claimed value of the assets of the company was \$493,169.47 at cost.

Aside from the purchase of the securities of these two companies, the total estimated cost of carrying out these plans of the petitioner amounted to a sum greatly in excess of the amount of securities applied for. Consents from the proper municipal authorities of the towns to be traversed by the proposed transmission lines were presented. The Commission took into consideration the immediate needs of the company in its construction and extension work and the purchase of securities, and after public hearings held in the city of Albany, January 18 and February 16, 1906, pursuant to notices duly published in newspapers in the counties in which the company proposes to operate, and at which hearings Alfred W. Gray, of Niagara Falls, appeared in behalf of the petitioner, C. E. Thomson, K. C., of Toronto, Ontario, Canada, of counsel, no one appearing in opposition, the following was adopted:

Ordered, That the Commission of Gas and Electricity hereby consents that the capital stock of the Niagara Falls Electrical Transmission Company be increased, in conformity with all the requirements of law relating thereto, from one hundred thousand dollars (\$100,000) to three million five hundred thousand dollars (\$3,500,000), to consist of thirty-five thousand (35,000) shares of the par value of one hundred dollars (\$100) each; \$1,750,000 thereof shall be common stock and \$1,750,000 thereof shall be

preferred stock, entitled to preference and priority over the common stock in the manner following: To receive noncumulative dividends in each year at the rate of seven per cent. (7%), payable semi-annually out of the net earnings of the company, before any dividend shall be declared or paid on the common stock, and upon dissolution, after all the debts of the corporation shall have been paid, the assets, property and effects shall first be applied to the payment of the said preferred stock at par, before any payment is made to the holders of the common stock; and it is further

Ordered, That the Commission of Gas and Electricity approves of and does hereby consent to the purchase, as is hereinafter set forth by the Niagara Falls Electrical Transmission Company, at a price not to exceed par and interest, of certain bonds and mortgage and other obligations of the Albion Power Company, and to the further purchase at a price not to exceed par, of certain of the capital stock and at a price not to exceed par and interest of certain of the bonds and mortgage and other obligations of the Niagara Falls Gas and Electric Light Company; and it is further

Ordered, That said issue of stock, or the proceeds thereof, be applied to the following purposes, and to no other, to wit: The purchase of certain outstanding bonds and mortgage and other obligations of the Albion Power Company at not exceeding par and interest, the purchase of certain of the outstanding capital stock at not exceeding par, and certain of the outstanding bonds and mortgage and other obligations of the Niagara Falls Gas and Electric Light Company at not exceeding par and interest, to pay off and retire all of the bonds of the Niagara Falls Electrical Transmission Company now outstanding at not exceeding par and interest, to the reconstruction of and making additions to the plant and distributing system of the Niagara Falls Gas and Electric Light Company, to the reconstruction of and making additions to the plant and distributing system of the Albion Power Company, to the securing of necessary rights of way for transmission lines, and to the construction and equipment of conduits, transmission lines, power transforming stations, distributing plants and systems in the municipalities wherein said Niagara Falls Electrical Transmission Company is, by its charter and by the consent of the municipal authorities, authorized to conduct its operations; and it is further

Ordered, That said application for consent to further increase of capital stock than is hereinbefore consented to be and is hereby denied without prejudice to further application.

In the Matter of the Application of the Wetmore Electric Company for consent to increase its capital stock from \$40,000 to \$80,000.

The Wetmore Electric Company, which furnishes electric current for light and power in the villages of Lowville, Croghan and Belfort, Lewis county, commenced business in 1898, the year of its incorporation, with a capital stock of \$40,000. Since that time and to date three dividends have been paid of 10 per cent. each. It appeared by the papers and from the testimony taken at the public hearing, held on the application February 16, 1906, that during these years from \$19,000 to \$21,000 was taken from the net earnings of the company and put into improvements of the plant and property. The company applied to the Commission January 17, 1906, for consent to increase its capital stock from \$40,000 to \$80,000, and proposed to devote about \$6,000 of the amount to the discharge of a floating debt, about \$12,000 to improvements and \$20,000 representing the earnings to be issued to the stockholders of the company. Sworn statements from the officers of the company placed the value of the assets of the company at about \$125,000; the property is mortgaged for \$30,000. At the hearing further detailed statements were asked for, which being filed March 10, the Commission adopted the following order:

Ordered, That the Commission of Gas and Electricity hereby consents that the capital stock of the Wetmore Electric Company be increased from forty thousand dollars (\$40,000), consisting of 400 shares of the par value of one hundred dollars (\$100) each, to sixty thousand dollars (\$60,000), consisting of 600 shares of the par value of one hundred dollars (\$100) each; and it is further

Ordered, That said increase of stock of twenty thousand dollars (\$20,000) or the proceeds thereof be applied to the following purposes, and to no other, to wit: To the liquidation of debts incurred in the purchase of a new dynamo and other machinery already installed and to improve or rebuild the dam and further develop the water power of said company; and it is further

Ordered, That said application for consent to further increase of capital stock than is hereinbefore consented to be and is hereby denied.

In the Matter of the Application of the Boquet Electric Power Company for consent to increase its capital stock from \$10,000 consisting of \$5,000 preferred and \$5,000 common, to \$20,000 to consist of \$10,000 preferred and \$10,000 common stock.

The Boquet Electric Power Company, incorporated May 25, 1905, petitioned July 10, 1906, for leave to increase its capital stock from \$10,000 equally divided between preferred and common, to \$20,000 also equally divided. The company operates in the towns of Willsboro and Essex, Essex county, and desired to increase the height of its present dam and further extend its construction work with the proceeds of the new stock authorized at a meeting of the stockholders April 23. The company estimated assets of \$13,500 and proposed to pay off outstanding indebtedness of \$3,500 and expend upwards of \$4,500 in the purchase of hydraulic apparatus, improvements to dam and extension of lines, including a line to Whallonsburg.

A hearing was had July 24th at the Capitol, Robert B. Dudley, appearing for the petitioner, there being no opposition.

The following was adopted:

Ordered, That the Commission of Gas and Electricity hereby consents that the capital stock of Boquet Electric Power Company be increased from ten thousand dollars (\$10,000) consisting of 500 shares of common stock of the par value of ten dollars (\$10) each, and 500 shares of preferred stock of the par value of ten dollars (\$10) each, to twenty thousand dollars (\$20,000) to consist of 1,000 shares of common stock of the par value of ten dollars (\$10) each and 1,000 shares of preferred stock of the par value of ten dollars (\$10) each; and it is further

Ordered, That said increase of stock of ten thousand dollars (\$10,000) or the proceeds thereof, be applied to the following purposes, and to no other, to wit: Three thousand four hundred thirty-eight dollars (\$3,438) to the payment of the outstanding indebtedness of the corporation, six thousand five hundred sixty-two dollars (\$6,562) to improvements and additions to hydraulic structures, generating station and distributing system of said petitioner.

In the Matter of the Application of Middleville Electric Light Company for consent to increase its capital stock from \$4,000 to \$12,000.

The Middleville Electric Light Company, incorporated 1904 with a capital stock of \$4,000, applied for consent to increase to \$12,000. Middleville has 750 inhabitants. At present the connected load of the company is 30 horsepower, and insufficient to meet the demand for additional light and possibly power. Nineteen enclosed arc street lights are supplied and 650 incandescents for commercial lighting. The company anticipated that 100 horsepower would be needed, and that \$9,000 would be required to reconstruct its plant, acquire more land and water power, install new 130-horsepower water wheels and improved generators and equipment. A contract had been entered into with the owner of land for the acquisition of water rights at a cost of \$3,000. The other improvements amounted to \$6,000. A valuation of \$6,000 was placed on the present plant.

A hearing was had at the Capitol, October 10th, D. E. Ford president of the company, appearing for the petitioner and no one in opposition. The following was adopted:

Ordered, That the Commission of Gas and Electricity hereby consents that the capital stock of Middleville Electric Light Company be increased from four thousand dollars (\$4,000), consisting of forty (40) shares of common stock of the par value of one hundred dollars (\$100) each, to twelve thousand dollars (\$12,000), to consist of one hundred and twenty (120) shares of common stock of the par value of one hundred dollars (\$100) each; and it is further

Ordered, That said increase of stock of eight thousand dollars (\$8,000), or the proceeds thereof, be applied to the following purposes and to no other, to wit: To the purchase of certain lands and water rights, improvements to the water power and the construction and equipment of a new plant.

In the Matter of the Application of Kings County Electric Light and Power Company for consent to increase its capital stock from \$8,200,000 to \$10,000,000.

On a former application for consent to increase capital stock from \$5,000,000 to \$10,000,000 the same was approved to the

extent of \$3,200,000, total \$8,200,000 (First Report of Commission, pp. 44-47, inclusive), covering the amount required to liquidate the debt of the Edison Electric Illuminating Company of Brooklyn, the operating company, to the petitioner to the extent of \$300,000, and debts to general creditors, with an amount deemed to be sufficient to provide for improvements and betterments constructed and contracted for during the year 1905.

Application was renewed July 26, 1906, for consent to increase from \$8,200,000 to \$10,000,000, the board of directors of the Edison Company having approved estimates for construction and equipment expenditures amounting to \$2,617,338 for the year 1906, of which amount \$500,000 had already been expended.

A hearing was had at the New York city office of the Commission September 10, 1906, Edward W. Hatch, of Parker, Hatch & Sheehan, appearing for the petitioner, and no one in opposition. It was shown that the proceeds of the former increase of \$3,200,000, had been used in liquidating the floating indebtedness of the Edison Company and in construction, pursuant to the estimates, amounting to \$1,544,877.19, approved by the directors for the year 1905, with the exception of about \$250,000 not yet spent, and the balance of such increase toward new construction authorized in 1906. Including the amount required for the estimates of 1905 and 1906 not already provided for, together with other items, \$2,650,791.71 was shown to be required by the Kings County Company. Of work now in process and obligations incurred proposed to be provided for by the increase of \$1,800,000, the largest item was in connection with the gradual enlargement of the Gold street plant of the Kings County Company from an original capacity of 6,000 kilowatts to an ultimate capacity of 70,000 kilowatts, made necessary by the growth of business and future needs.

The following was adopted:

Ordered, That the Commission of Gas and Electricity hereby consents, pursuant to section 12 of chapter 737 of the Laws of 1905, that the capital stock of Kings County Electric Light & Power Company be increased from eight million two hundred thousand dollars (\$8,200,000), consisting of eighty-two thousand (82,000) shares of the par value of one hundred dollars (\$100) each, to ten million dollars (\$10,000,000), to consist of one

hundred thousand (100,000) shares of the par value of one hundred dollars (\$100), each; and it is further

Ordered, That said increase of stock of one million eight hundred thousand dollars (\$1,800,000), or the proceeds thereof, be applied to the following purposes, and to no other, to-wit: To the discharge of the indebtedness of the petitioner incurred on account of improvements, extensions and betterments authorized and completed for the years 1905 and 1906, and the balance thereof to further improvements, extensions and betterments authorized by the directors for the year 1906.

In the Matter of the Application of Paul Smith's Electric Light & Power & Railroad Co., see Bond Cases, *post*, p. 45.

In the Matter of the Application of Sodus Gas & Electric Company for consent to increase its capital stock.

The Sodus Gas & Electric Light Company made application June 16, 1906, for consent to increase its capital stock from \$15,000 to \$20,000 by the issue of \$5,000 non-cumulative, non-voting stock, to be used to supply means for extensions of its distributing system, transforming station apparatus and the installation of a street lighting system.

A hearing was had at the Capitol on the 6th day of July, 1906, George L. Colgate appearing for the petitioner and no one in opposition. The Commission requested the petitioner to amend its application as to the voting power of the stock, but the request not having been complied with, the following was adopted:

Ordered, That the application of the petitioner for consent to increase its capital stock from fifteen thousand dollars (\$15,000), consisting of one hundred and fifty (150) shares of common stock of the par value of one hundred dollars (\$100) each, to twenty thousand dollars (\$20,000), to consist of one hundred and fifty (150) shares of common stock of the par value of one hundred dollars (\$100) each, and of fifty (50) shares of non-cumulative, non-voting, six per cent. (6%) preferred stock of the par value of one hundred dollars (\$100) each, be and the same is hereby denied.

ISSUE OF BONDS.

NAME OF CORPORATION.		Location.	Amount of issue applied for.	Amount allowed.	Date of order.
The Genesee County Electric Light, Power & Gas Co.	.....	Batavia.....	\$100,000	None.	Jan. 18, 1906
Albion Electric Light & Power Co.	.....	Albion.....	50,000	\$35,000	Jan. 19, 1906
The Akron Natural Gas Co.	.....	Akron (offices at Binghamton).....	100,000	None.	May 16, 1906
The Wallkill Valley Electric Light & Power Co.	.....	Walden.....	15,000-1st	15,000-1st	July 26, 1906
The Southern Dutchess Gas & Electric Co.	.....	Fishkill and Matteawan.....	10,000-2nd	None.	Oct. 10, 1906
Ogdenburg Gas Co.	.....	Ogdenburg.....	50,000	50,000	Oct. 10, 1906
Ogdenburg Power & Light Co.	.....	Ogdenburg.....	50,000	75,000	Oct. 10, 1906
Brooklyn Borough Gas Co.	.....	Borough of Brooklyn, New York City.....	100,000		
The Southern Dutchess Gas & Electric Co.	.....	Fishkill-on-Hudson.....	135,000	135,000	Oct. 25, 1906
Paul Smith's Electric Light & Power & Railroad Co.	.....	Paul Smith's and Saranac Lake.....	50,000	50,000	Oct. 29, 1906
Poughkeepsie Light, Heat & Power Co.	.....	Poughkeepsie.....	600,000	400,000	Nov. 22, 1906
	.....		150,000	150,000	Dec. 13, 1906

In the Matter of the Application of Genesee County Electric Light, Power and Gas Company for consent to issue \$100,000 bonds. (See Review of Stock, Cases p. 24 *ante*.)

In the Matter of the Application of the Ticonderoga Electric Light and Power Company for consent to issue bonds to the amount of \$50,000.

The Ticonderoga Electric Light and Power Company, with a capital stock of \$16,000, applied for consent to issue bonds to the amount of \$50,000 (reduced to \$40,000 on the hearing) for the purpose of purchasing land for a plant and dock on Ticonderoga creek, building of power house and installation of new machinery. A floating debt of \$3,000 had been incurred. Power and space for generating apparatus were leased under an arrangement until April 1st only. The proper consent of stockholders was presented with a verified statement showing assets of \$24,700, which included \$10,000 for the value of franchise. For real estate and dock \$2,500 was needed and the estimates for new plant and equipment amounted to \$35,000. Thirty 2,000 candle-power arc lights, of which seventeen were used in street lighting under a contract at \$1,500 per annum, and 2,500 incandescents were operated. A flat rate of \$1 per light per annum was charged, no meters being in use. The use of oil engines of 225 and 120 horsepower, respectively, was contemplated for generating current. The population of the village is 5,000. Public hearings were had on the 9th and 29th of December, 1905, Holmes, Bryan & Holmes appearing for the petitioner, no one in opposition. The following was adopted:

Ordered, That the Commission of Gas and Electricity hereby approves of and consents to the issue by the Ticonderoga Electric Light and Power Company, in conformity with all the requirements of law relating thereto, of seventy first mortgage 5 per cent. twenty-year bonds of the par value of \$500 each, secured by a mortgage duly executed by the petitioner to secure said bonds to the First National Bank of Ticonderoga, as trustee, bearing date October 1, 1905, or at such date as the directors may determine; and it is further

Ordered, That said \$35,000 of bonds, or the proceeds thereof, be applied to the following purposes, and to no other, to wit: To the purchase and installation of one Diesel oil engine, generators,

meters, poles, transformers and other necessary electrical apparatus and machinery, erection of power house, coal shed, dock and buildings, all of which purposes being more specifically set forth in the supplemental affidavit of Frank B. Gridley, duly filed herein, and that the said bonds, or the proceeds thereof, be applied to no other purpose; and it is further

Ordered, That said application for consent to issue bonds to the amount of \$50,000 par value, except as above consented to, is hereby denied.

In the Matter of the Application of the Akron Natural Gas Company for consent to issue \$100,000 bonds.

The Akron Natural Gas Company, engaged in selling and supplying natural gas to consumers at Akron, Erie county, petitioned for consent to issue \$100,000 first mortgage 6 per cent. ten-year bonds as authorized by the stockholders and directors. Issue of stock to the amount of \$195,400 had been authorized, of which \$104,600 was held in the treasury. The company presented a statement of assets, of which \$104,600 was the treasury stock and \$282,162.43 was designated as plant, which, with other items, made total assets of \$404,966.60 on the company's books. The plant items were made up as follows: Expense of drilling and equipping fifty-one wells, \$99,211, of which amount \$76,500 was the expense of drilling, including \$15,000 for wells abandoned and not producing; lead lines, \$7,104; line to Buffalo, \$71,972; piping in villages of Akron and Clarence, \$13,875.43; also \$90,000 estimated value of wells and leases based on the present earning and producing capacity. There was no bonded indebtedness but the company had bills payable of \$68,000. The company claimed a surplus of \$24,371.90.

The proposed bond issue was to liquidate debts of the company incurred in 1905 in the construction of the pipe line costing \$71,972 from Akron to Buffalo, a distance of about twenty-seven miles, by which the company delivers gas at the city line to the Buffalo Natural Gas Fuel Company. No dividends have been paid, but net earnings of \$16,687.02 were claimed for the past year. The company began selling gas in the fall of 1904.

The question was presented whether the Commission should approve of the issue of bonds upon producing natural gas wells,

of which the life could not be determined. In the Medina formation, where the wells of the company are located, the average life is from five to ten years, and the company proposed to lay aside 10 per cent. of the amount of the bonds annually to meet them when due. The company had 30,000 acres under lease and the cost of drilling a well was placed at about \$1,800. The plant at Akron was inspected by the engineer of the Commission.

The following was adopted:

Ordered, That said application for consent to issue first mortgage six per cent. (6%) ten (10) years bonds to the amount of one hundred thousand (\$100,000) dollars be and the same is hereby denied.

In the Matter of the Application of the Wallkill Valley Electric Light and Power Company for consent to issue \$15,000 first mortgage bonds and \$10,000 second mortgage bonds.

The Wallkill Valley Electric Light and Power Company of Walden applied June 22d for consent to an issue of \$15,000 first mortgage ten-year and \$10,000 second mortgage five-year bonds, all at 6 per cent. the former to be used at once and the latter as required.

The company had an authorized capital stock of \$16,000 of which \$3,330 was issued. It was proposed to devote the proceeds of the first mortgage bonds to refunding a previous issue of \$9,000 and to the payment of an indebtedness of \$6,000. New equipment required upwards of \$9,000, including the erection of a pole line and wires to Wallkill, a distance of about three miles. The company proposed using its present plant as an auxiliary and to obtain new equipment, consisting of a 300 kilowatt two phase generator, meters, etc. Assets of \$20,000 were shown, exclusive of franchises. Earnings had been invested in plant. Removal to the new power location would necessitate scrapping a portion of the electrical apparatus.

Hearing was had at the Capitol, July 6. A. J. Fowler appearing for the petitioner. The company filed a further affidavit, and the following was adopted:

Ordered, That the Commission of Gas and Electricity hereby approves of and consents to the issue by the Wallkill Valley Electric Light and Power Company, in conformity with all the re-

quirements of law relating thereto, of thirty first mortgage six per cent, ten-year gold bonds, dated June 20, 1906, of the par value of five hundred dollars (\$500) each, secured by a first mortgage duly executed by the petitioner to said trustee upon the property and franchises of said Company; and it is further

Ordered, That the proceeds of said first mortgage bonds of the par value of fifteen thousand dollars (\$15,000) be applied to the following purposes, and to no other, to wit: To redeem and refund certain bonds and mortgage for nine thousand dollars (\$9,000), which mortgage is now a lien upon the plant and equipment of said company; six thousand dollars (\$6,000) to be applied to additions to and extensions of its generating plant and distribution system referred to in the verified statement as of the date of June 21, 1906, annexed to the petition herein; and it is further

Ordered, That said application for consent to issue second mortgage bonds to the amount of ten thousand dollars (\$10,000) par value, is hereby denied.

In the Matter of the Application of the Southern Dutchess Gas and Electric Company for consent to issue bonds and for consent to issue \$10,000 additional capital stock.

. Application was made on behalf of the Southern Dutchess Gas and Electric Company for consent to issue bonds to the amount of \$90,000, to be applied to the purchase of the gas plant of the Fishkill and Matteawan Gas Company and for certain extensions of the gas system of that company.

The plant of the Fishkill and Matteawan Gas Company, now operated by receivers, is supplying the villages of Fishkill Landing and Matteawan of a combined population of 12,000. The company's mains extend to the village of Fishkill, with a population of 1,800, four miles beyond Matteawan, but no gas is furnished to that village on account of lack of capacity of mains to supply same.

The Southern Dutchess Gas and Electric Company was incorporated in May, 1905, for the purpose of erecting and operating a gas plant. After the incorporation the acquisition of the plant of the other company appeared feasible, and the plan to erect a

new plant was abandoned. The petitioner was at this time operating the electric plant of the Citizens' Railroad, Light and Power Company under a lease. It had also entered into a contract for the purchase of the gas plant recently sold under a foreclosure and purchased by a committee of the bondholders for \$52,500 of the proposed issue of bonds, subject to an underlying mortgage of \$13,000 executed by a predecessor in title. A valuation of \$75,000 was placed by the petitioner on the physical property of the gas plant and assets in the hands of the receiver, and estimates of proposed improvements to the amount of \$46,000 were submitted. By a supplemental petition approval was asked of an issue of additional capital stock to the amount of \$10,000, to be used in connection with the bond issue for the same purpose.

A hearing was had at the Capitol, September 6, 1906, Samuel K. Phillips appearing for the petitioner and no one in opposition, and an inspection was made of the gas plant. This application was denied with leave to renew. A new contract was subsequently entered into October 18, to deed the property in consideration of \$10,000 stock and \$37,000 bonds of an issue of \$50,000 first mortgage bonds authorized by the stockholders in June, 1905, \$13,000 being retained by the trustees to retire the underlying bonds. A supplemental application was filed upon which a hearing was had at the Capitol, October 25th, and the following was adopted:

Ordered, That the Commission of Gas and Electricity hereby approves of and consents to the issue by the Southern Dutchess Gas and Electric Company, in conformity with all the requirements of law relating thereto, of fifty (50) twenty-year 5 per cent. bonds, of the denomination of one thousand dollars (\$1,000) each, to be dated the first day of June, 1905, and to bear interest from the first day of November, 1906, secured by a mortgage bearing date June 1, 1905, executed by the petitioner upon all its property, real and personal, and its franchises, including such property and franchises as may be hereafter acquired, to John Place and Milton E. Curtiss, of Fishkill Landing, as trustees for the owners and holders of said bonds, such mortgage to be a first lien, subject only to the lien of the prior underlying mortgage, securing thirteen thousand dollars (\$13,000) of bonds as herein-after specified; and the Commission of Gas and Electricity hereby further approves of and consents to the issue by the petitioner, in

conformity with all the requirements of law relating thereto, of one hundred (100) shares of additional capital stock of the par value of one hundred dollars (\$100) each, amounting to ten thousand dollars (\$10,000); and it is further

Ordered, That the proceeds of said fifty twenty-year 5 per cent. bonds, of the denomination of one thousand dollars (\$1,000) each, and additional capital stock to the amount of ten thousand dollars (\$10,000), shall be applied to the following purposes, to wit: Thirteen thousand dollars (\$13,000) thereof to be reserved by the trustees for the purpose of retiring bonds to that amount issued by the Fishkill and Matteawan Equitable Gas Company, which bonds are an underlying obligation issued by the last named company as former owner of the property and franchises of the Fishkill and Matteawan Gas Company, and the balance of said bonds of the aggregate amount of thirty-seven thousand dollars (\$37,000), and said additional stock to the amount of ten thousand dollars (\$10,000), to the purchase of the property and franchises of the Fishkill and Matteawan Gas Company under and pursuant to the terms of said contract dated the 18th day of October, 1906, between the petitioner and Clarence E. Thompson and Harry D. Thompson, as committee of bondholders of the first mortgage bonds of the Fishkill and Matteawan Gas Company.

In the Matter of the Application of Ogdensburg Gas Company for consent to issue First mortgage bonds to the amount of \$50,000.

Ogdensburg Gas Company, with a capital stock of \$100,000, applied September 5, 1906, for consent to issue thirty-year five per cent. bonds to the amount of \$50,000, to be dated June 30, 1906, the proceeds to be used in retiring outstanding bonds to the amount of \$20,000 and accrued interest, and in liquidating a debt of \$27,000, incurred for extensions and betterments, the surplus, if any, to be used in further improvements.

Real estate, plant and equipment were valued at \$85,000, exclusive of the franchises. In valuing the mains 10 per cent. depreciation was figured, old mains having been largely replaced. It was claimed that the necessary extensions would increase the return to the company over added interest charges. The net annual receipts amounted to about \$6,000.

A hearing was had at the Capitol, October 10, Thomas Spratt appearing for the petitioner, no one in opposition. The following was adopted:

Ordered, That the Commission of Gas and Electricity hereby approves of and consents to the issue by Ogdensburg Gas Company, in conformity with all the requirements of law relating thereto, of fifty (50) five per cent. thirty-year bonds of the denomination of one thousand dollars (\$1,000), secured by a mortgage upon the property, rights and franchises of the company in the sum of \$50,000; and it is further

Ordered, That the proceeds of said fifty (50) five per cent. thirty-year bonds of the denomination of one thousand dollars (\$1,000) each shall be applied as follows, to wit: Twenty-one thousand five hundred dollars (\$21,500) to be used in taking up and retiring the outstanding mortgage bonds to the amount of twenty thousand dollars (\$20,000) and interest now upon the property of the petitioner, and the balance thereof to pay and discharge the indebtedness of the petitioner to the Fidelity Trust Company of Philadelphia, Pa.

In the Matter of the Application of Ogdensburg Power and Light Company, for consent to issue first mortgage bonds to the amount of \$100,000.

Application was made September 15, 1906, by Ogdensburg Power and Light Company, with a capital stock of \$50,000, for consent to issue thirty-year five per cent. bonds to the amount of \$100,000. The match factory property, so-called, owned by the company, already encumbered, was excepted from the property proposed to be mortgaged. Current from Hannawa Falls is being introduced and a larger demand for power was anticipated. An obligation of \$100,000 had been incurred for money advanced to improve the plant and distributing system, and it was proposed to issue bonds therefor in lieu of the current obligations, and to reduce the indebtedness on the match factory property. The net income of the property was more than sufficient to pay interest on the proposed bonds. A valuation of \$127,000 was placed on the plant and distributing system including franchises.

A hearing was had at the Capitol, October 10, Thomas Spratt

appearing for the petitioner, no one in opposition. The following was adopted:

Ordered, That the Commission of Gas and Electricity hereby approves of and consents to the issue by Ogdensburg Power and Light Company, in conformity with all the requirements of law relating thereto, of seventy-five first mortgage five per cent. thirty-year bonds of the denomination of one thousand dollars (\$1,000) each, secured by a mortgage executed by the petitioner in the sum of one hundred thousand dollars (\$100,000) upon all of the property and franchises of said company, except the property known as the Continental Match Factory property; and it is further

Ordered, That the proceeds of said seventy-five first mortgage five per cent. thirty-year bonds of the denomination of one thousand dollars (\$1,000) each, shall be applied as follows, viz: To pay and discharge the indebtedness of the company to the Fidelity Trust Company of Philadelphia, Pa.; and it is further

Ordered, That said application for consent to a further issue of bonds than as above consented to is hereby denied.

In the Matter of the Application of the Brooklyn Borough Gas Company for consent to issue additional general mortgage bonds to the amount of \$135,000.

A previous application (see first report to the legislature, pp. 49-51) for consent to issue \$1,000,000 bonds had been granted to the extent of \$615,000, \$500,000 for retiring first mortgage bonds and the balance for retiring floating indebtedness incurred for extension of mains, improvement of plant, purchase of real estate contracted for, and the erection of a new generator and holder. The order therein provided for further application to the Commission before issuing any portion of the \$385,000 balance of bonds. All but twenty-nine of the bonds previously allowed to the par value of \$29,000 having been issued and the application of the funds realized being shown, application was made for consent to issue \$135,000 of the balance authorized, to be devoted to foundation and connections for new holder, construction of 20-inch and other size mains, installation of new meters and services and in reducing the floating indebtedness. The mains and services were shown to be in efficient condition, requirements

being in the direction of extensions to keep pace with the growth of the territory. It had been the policy of the company to devote earnings over and above interest on the bonds to improvements. Half of the net earnings of the present year were to be so devoted. The number of services had increased from 1,200 to over 3,000 in the past five or six years, and sixty miles of mains were operated, seven or eight miles being added annually.

A hearing was had at the New York city office of the Commission September 10, 1906, Henry S. Cattell, of Oudin & Oakley, appearing for the petitioner, no one in opposition. The following was adopted:

Ordered, That the Commission of Gas and Electricity hereby approves of and consents to the issue by Brooklyn Borough Gas Company, in conformity with all the requirements of law relating thereto, of 135 additional general mortgage 5 per cent. forty-year gold bonds of the denomination of \$1,000 each (total \$135,000), numbered consecutively from 616 to 750 inclusive, interest payable on the first days of June and December of each year, secured by a mortgage executed by the petitioner, in the sum of one million dollars (\$1,000,000) to the Title Guarantee and Trust Company bearing date June 1, 1905, upon the property and franchises of said company; and it is further

Ordered, That said additional 135 general mortgage 5 per cent. forty-year gold bonds of the denomination of \$1,000 each (total \$135,000), or the proceeds thereof, shall be applied within the limits of the franchise of said Brooklyn Borough Gas Company as follows, to-wit: Thirty-two thousand dollars (\$32,000) toward the construction of a new holder and foundation, fifteen thousand dollars (\$15,000) for the construction of four thousand (4,000) feet of twenty (20) inch mains to distribute the gas from the new holder to the center of distribution, ten thousand dollars (\$10,000) for installation of new services, seven thousand dollars (\$7,000) for installation of new meters, twenty thousand dollars (\$20,000) for construction of ten (10), eight (8), four (4) and three (3) inch new mains, and the balance of the proceeds of the bonds and any unused balance, which may arise upon any of the foregoing items, to reduce the floating indebtedness heretofore incurred by the petitioner in laying new mains, installing new meters and new services as set out in the petition; and it is further

Ordered, That the petitioner furnish to the Commission a detailed monthly statement of the expenditures for the purposes

aforesaid and of the proceeds of twenty-nine bonds, being a part of the issue heretofore approved of and now remaining unsold.

In the Matter of the Application of the Southern Dutchess Gas and Electric Co., see *ante*, p. 39.

In the Matter of the Application of The Paul Smith's Electric Light and Power and Railroad Company for consent to increase its capital stock from \$100,000 to \$500,000, and for consent to issue bonds of \$500,000; and

In the Matter of the Application of Saranac Lake Light, Heat and Power Company for consent to transfer its plant, etc., to The Paul Smith's Electric Light and Power and Railroad Company.

On a previous application the Commission granted the Paul Smith's Electric Light and Power Company a certificate of authority to transact business and consented to the issue of \$75,000 out of \$100,000 stock authorized (see *post*).

The company having complied with section twenty-one of the Railroad Law by filing an amended certificate of incorporation, had acquired the right to construct an electric railroad. The amount allowed under the previous order for hydraulic development and for the erection of a transmission line from Franklin Falls to Saranac Lake had been expended.

Application was made for consent to issue bonds to the amount of \$500,000 and to increase its authorized capital stock from \$100,000 to \$500,000, with authority to issue the remaining \$25,000 capital stock mentioned in the certificate of incorporation. An electric railroad from Lake Clear station to Paul Smith's had been constructed and development of the water powers at Franklin Falls and Union Falls on Saranac River was in progress, \$75,000 having been expended in water power development. An agreement to purchase the plant and franchises of Saranac Lake Light, Heat and Power Company for \$300,000 and the assumption of bonded indebtedness to the amount of \$50,000 had been entered into, and the latter company asked at the same time for approval of the sale.

The Saranac Lake Company was capitalized at \$100,000 and bonds were outstanding to the amount of \$50,000. Consent of

the Railroad Commission was also asked to like applications. Contemplated development at Franklin Falls calls for the expenditure of \$173,000 and at Union Falls for \$205,000.

Hearing was had at the Capitol October 30, Messrs. Badger & Cantwell appearing for the petitioner and no one in opposition. At the hearing it appeared that for the present development \$400,000 of bonds would suffice, the purchase of the Saranac Lake plant to be provided for from the stock issue. The following was adopted:

Ordered, That the Commission of Gas and Electricity hereby consents that the capital stock of Paul Smith's Electric Light and Power and Railroad Company be increased from one hundred thousand dollars (\$100,000), consisting of one thousand (1,000) shares of common stock of the par value of one hundred dollars (\$100) each, of which seventy-five thousand dollars (\$75,000) has been heretofore issued, to two hundred thousand dollars (\$200,000), to consist of two thousand (2,000) shares of common stock of the par value of one hundred dollars (\$100) each; and it is further

Ordered, That the Commission of Gas and Electricity hereby consents to the issue of capital stock of the petitioner to the amount of one hundred twenty-five thousand dollars (\$125,000); and it is further

Ordered, That said issue of stock of one hundred twenty-five thousand dollars (\$125,000), be applied to the following purposes and no other, to-wit: To the purchase of the property, plant and equipment of the Saranac Lake Light, Heat and Power Company, and that fifty thousand dollars (\$50,000) thereof, or so much as shall be necessary, be devoted to the retirement of bonds to that amount issued by the Saranac Lake Light, Heat and Power Company, so that said property shall be taken over by said petitioner free and clear of all bonded and floating indebtedness; and it is further

Ordered, That the Commission of Gas and Electricity hereby consents to the issue of first mortgage five per cent. thirty-year bonds to the aggregate amount of four hundred thousand dollars (\$400,000) to be secured by a mortgage of the property, rights and franchises of the petitioner to the Knickerbocker Trust Company, heretofore authorized by the stockholders and directors, in the amount of five hundred thousand dollars (\$500,000), which said mortgage and bonds shall bear date the first day of November, 1906, and shall consist of four hundred (400) bonds of the

denomination of one thousand dollars (\$1,000) each, payable in thirty years from the date thereof with interest at five per cent., payable semi-annually, and which shall be redeemable at one hundred five per centum upon any interest day at the option of the petitioner; and it is further

Ordered, That the said four hundred (400) bonds of the denomination of one thousand dollars (\$1,000) each, or the proceeds thereof, shall be applied to the following purposes, to-wit: To the debt incurred by the petitioner in the purchase of the right of way and in the construction and equipment of the electric railroad from Lake Clear railroad station in the town of Harriets-town, in the county of Franklin, to Paul Smith's hotel in the town of Brighton, in said county; and to the construction of hydraulic and electric generating power plants at Franklin Falls and Union Falls, on Saranac River, and necessary reservoir lands therefor and necessary transmission lines connected therewith; and it is further

Ordered, That said application to issue stock and bonds other than as above consented to be and the same are hereby denied.

The following was adopted in the Saranac case:

Ordered, That the application of Saranac Lake Light, Heat and Power Company for consent to sell and transfer its plant, property and franchise to said Paul Smith's Electric Light and Power and Railroad Company be and the same is hereby granted, and the Commission of Gas and Electricity hereby consents to said sale, pursuant to section 13 of chapter 737 of the Laws of 1905, upon the condition nevertheless, that the outstanding bonded indebtedness of the petitioner to the amount of fifty thousand dollars (\$50,000) be retired and paid by the purchaser upon the execution and delivery of any sale or conveyance thereof, so that said plant, property and franchises may be taken over by the Paul Smith's Electric Light and Power and Railroad Company free and clear of all encumbrance, and upon the further condition that the consideration of such sale and transfer, so free and clear of all encumbrances and floating indebtedness, shall not exceed the sum of one hundred twenty-five thousand dollars (\$125,000); and it is further

Ordered, That in case either or both of said conditions are not complied with by the parties to such sale, this application for consent to transfer such plant, property and franchises be and the same is hereby denied.

In the Matter of the Application of Poughkeepsie Light, Heat and Power Company for consent to issue convertible debenture bonds to the amount of \$150,000.

Petition was filed by the Poughkeepsie Light, Heat and Power Company, having a capital stock of \$500,000 and a funded debt of like amount, of which \$75,000 consisted of underlying bonds of the Poughkeepsie Electric Light and Power Company, and \$67,000 of bonds of the Poughkeepsie Gas Light Company, for approval of an issue of \$150,000 convertible debenture bonds.

The company claimed assets of \$1,094,579.54 and since 1901 has been engaged in renewing its plants and distributing systems. The gas plant at the present time has a daily capacity of 400,000 cubic feet. Obligations to the amount of \$45,000 had been incurred and existed in the form of bills payable. Additions to the electric lighting station, the electric plant and the installation of a new street lighting system at a total cost of approximately \$83,000 had been made, and there had been substantial progress in the improvements to the gas distribution system. A high pressure main to supply the village of Arlington was being laid. Demand for both gas and electricity was increasing with a corresponding growth in gross receipts, making necessary incidental expenditures of probably \$15,000 for the coming year. The total expenditures to be provided for amounted to \$161,000, not including a mortgage of \$6,000 and dock improvements of \$8,000.

By their terms the bonds were convertible into stock after two and not more than twelve years from their date. The issue was practically all subscribed for.

A hearing was ordered September 10 at the New York city office when an adjournment was taken and a further hearing ordered October 30th at the Capitol. Later a hearing was had at the New York city office November 26th. The following was adopted:

Ordered, That the Commission of Gas and Electricity hereby consents to the issue of gold debenture bonds to the aggregate amount of one hundred fifty thousand dollars (\$150,000), which said bonds shall bear date July 1, 1906, payable in twenty years from the date thereof with interest at six per cent. (6%), and which shall be convertible by the holders thereof, in not less than two nor more than twelve years from their date, into stock of the petitioner at par, subject to the right of the company to redeem

any not so converted at a premium of five per centum of the par value thereof; and it is further

Ordered, That the said convertible debenture bonds to the amount of one hundred and fifty thousand dollars (\$150,000), or the proceeds thereof, shall be applied to the following purposes, and to no other, to-wit: To the payment of the outstanding promissory notes of the petitioner to the amount of forty-five thousand dollars (\$45,000) and interest, and the payment of an outstanding mortgage of six thousand dollars (\$6,000) on property purchased adjacent to the central electric station of the petitioner, seventeen thousand five hundred dollars (\$17,500) for the installation of a new street lighting system and station apparatus connected therewith and the balance to improvements, additions and betterments at the electric lighting station, including a new one thousand kilowatt turbo-generator and necessary apparatus connected therewith, and to the electric distributing system, and to the gas plant and distributing system of the petitioner; and it is further

Ordered, That said convertible debenture bonds be sold at not less than par, and accrued interest.

CERTIFICATES OF AUTHORITY TO COMPANIES.

NAME OF CORPORATION	Proposing to furnish.	Certificate of incorporation filed.	Issue of stock or bonds applied for.	Issue of stock or bonds approved.	Date of order.
Broadalbin Electric Light & Power Co.	Electricity in the towns of Broadalbin and Mayfield, Fulton Co., and the town of Providence, Sar. Co., and other towns and villages within the state.	Sept. 20, 1905	\$50,000 (stock). 40,000 (bonds)	\$7,500 (stock). 40,000 (bonds)	Jan. 19, 1906
The Parish Lighting Co.	Gas for lighting in the village of Parish, Oswego County.	July 10, 1905	2,000 (stock)	2,000 (stock)	Jan. 19, 1906
The Paul Smith's Electric Light & Power Co.	Electricity for light, heat and power in the towns of Brighton, Franklin, Bellmont, Harrietstown, Franklin Co., towns of St. Armand and North Elba, Essex Co., towns of Black Brook, Saranac and Dannemora, Clinton Co., and villages of Saranac Lake, Lake Placid and Bloomingdale.	July 10, 1905	100,000 (stock)	75,000 (stock)	Mar. 16, 1906 except in village of Lake Placid and town of No. Elba.
Red Hook Light & Power Co.	Electricity in villages of Red Hook and Tivoli and town of Red Hook, Dutchess Co.	Feb. 13, 1906	25,000 (stock). 20,000 (bonds)	12,000 (stock). 10,000 (bonds)	Mar. 28, 1906
West Shore Gas Co.	Gas for light, heat and power in the villages of Haverstraw and West Haverstraw.	Dec. 15, 1905	85,000 (stock). 85,000 (bonds)	45,000 (stock). 40,000 (bonds)	April 17, 1906
Andover Electric Power & Light Co.	Electricity for light, manufacturing and traction purposes, and the conducting of a general electric light and power business.	June 12, 1905	10,000 (stock)	10,000 (stock)	May 1, 1906
West Branch Light & Power Co.	Electricity for light, heat and power in the towns of Stamford, Harpersfield, Kortright and Delhi and villages of Hobart and Stamford (Delaware Co.).	Feb. 8, 1906	50,000 (stock). 50,000 (bonds)	5,000 (stock). 45,000 (bonds)	June 5, 1906
Eureka Gas Co.	Acetylene gas in v. and tn. of Candor, Tioga County.	Jan. 22, 1906	2,000 (stock). 5,000 (bonds)	2,000 (stock). 5,000 (bonds)	Oct. 3, 1906
The Pavilion Natural Gas Co.	Natural gas in tns. of Pavilion and LeRoy and v. of LeRoy, Genesee County.	Nov. 15, 1905	100,000 (stock).	100,000 (stock).	Oct. 10, 1906
The Cherry Valley Gas Co.	Acetylene gas in v. of Cherry Valley.	Sept. 18, 1906	10,000 (stock).	6,000 (stock).	Oct. 10, 1906

Citizens Lighting Co. of Oswego.....	Electricity in city of Oswego for lighting and power.....	Nov. 10, 1905	75,000 (stock)..	75,000 (stock)..	Oct. 10, 1906
Geneva-Seneca Electric Co.	Electricity in Geneva, Seneca Falls and Waterloo, and counties of Seneca and Ontario.....	Agreement of consolidation dated May 21, 1906.....	100,000 (stock).	100,000 (stock).	Oct. 10, 1906

In the Matter of the Application of the Broadalbin Electric Light and Power Company for a certificate of authority to transact business, and for consent to issue \$50,000 capital stock and \$40,000 bonds.

The Broadalbin Electric Light and Power Company was incorporated September, 1905, with a capital stock of \$50,000 for the purpose of manufacturing and supply electricity in the towns of Broadalbin and Mayfield, and in the village of Mayfield, Fulton county, and in the town of Providence, Saratoga county. Application was made to the Commission December 31st of that year for a certificate of authority to do business, and for consent to issue the authorized capital stock and \$40,000 bonds. The company proposed to purchase two parcels of land in Broadalbin for dam and reservoir purposes, and another parcel in Providence to be used for a reserve storage reservoir and to pay for these properties, on which options were held, with \$10,000 of the bonds asked for and \$50,000 of the capital stock. With the remainder of the bonds, \$30,000 in amount, it was proposed to reconstruct the dam and reservoir situate on the Broadalbin property, and to build and equip the proposed plant and distributing system. Objections to the granting of the application were filed by the Broadalbin Electric Company on the ground that there was not sufficient business in the territory to support two companies. The Broadalbin Electric Company is non-operative from the fact that their dam and water power was washed out several years ago and had never been replaced, though the replacement was now intended to be made. Testimony was taken as to the price agreed to be paid for the water power and reservoir parcels. The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section eleven, chapter 737, of the Laws of 1905, that the said Broadalbin Electric Light and Power Company is authorized to exercise its powers and to transact business within this State; and it is

Further Ordered, That the Commission of Gas and Electricity does hereby further certify, in accordance with section twelve, chapter 737, of the Laws of 1905, that capital stock to the amount of \$7,500 par value and bonds to the amount of \$40,000 are reasonably required for the purposes for which such issue is author-

ized, and the Commission hereby approves of and consents to the issue by the Broadalbin Electric Light and Power Company, in conformity with all the requirements of law relating thereto, of capital stock in amount not to exceed \$7,500 par value and to the issue of first mortgage bonds in amount not to exceed \$40,000 par value, to consist of forty bonds of the par value of \$1,000 each, to pay interest at a rate not to exceed five per cent. per annum and to be redeemable in not over twenty years from the date thereof; and it is

Further Ordered, That said issue of stock or the proceeds thereof be applied to the purchase of a certain parcel of land containing eighty-five acres more or less, upon which said land is erected a dam, a parcel of land adjacent thereto containing one hundred and fifty acres more or less, and a further parcel of land for storage reservoir purposes containing two hundred acres more or less; and that the said bonds or the proceeds thereof shall be applied in the following manner and to the following purposes: Eighteen of said bonds to the construction of a dam, flume and gates; twenty-two of said bonds to the erection of a power house, distributing system and to the purchase and installation of the necessary hydraulic and electrical machinery; all of which purposes appear more specifically in schedules filed with the petition; and the said stock and bonds or the proceeds thereof shall be applied to no other purpose; and it is

Further Ordered, That said application for consent to further increase of stock and bonds than as above consented to is hereby denied.

In the Matter of the Application of the Parish Lighting Company
for a certificate of authority to transact business, and for
consent to issue \$2,000 capital stock.

The Parish Lighting Company was incorporated July, 1905, and applied to the Commission December 29th following for a certificate of authority to transact business and for consent to issue \$2,000 capital stock. The company proposed to furnish acetylene gas to the inhabitants of Parish, Oswego county, a village of about 500 population. There is no other lighting plant in the village. A hearing was had January 18, 1906, at which papers were submitted and the case closed.

The Commission January 19, 1906, adopted the following:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that the said Parish Lighting Company is authorized to exercise its powers and to transact business within this State; and the said Commission hereby further certifies in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of \$2,000 is reasonably required for the purposes for which such issue is authorized, and this Commission hereby approves of and consents to the issue by the Parish Lighting Company, in conformity with all the requirements of law relating thereto, of capital stock to the par value of \$2,000 and it is

Further Ordered, That said issue of stock or the proceeds thereof shall be applied to the following purposes, and to no other to wit: To improvements upon and extensions to the property and plant of the Parish Lighting Company, in the following manner: To the purchase and installation of pipes, machines, meters, carbide, fixtures, tools and for the general equipment of the plant.

In the Matter of the Application of The Paul Smith's Electric Light & Power Company for a certificate of authority to transact business, and for consent to issue \$100,000 stock.

The Paul Smith's Electric Light & Power Company petitioned December 21, 1905, for a certificate of authority to transact business and for consent to issue \$100,000 stock, and about the same time the village of Lake Placid applied for a certificate to build, maintain and operate a municipal electric lighting plant and to do commercial lighting in the village and in a portion of the town of North Elba. As both applications covered in part the same territory, that is, the village of Lake Placid, the applications were heard together, the village filing formal objections based on the partial installation of its own municipal plant to be completed about June 1st, for which it had voted \$45,000 of bonds, and making the further objection that petitioner had not obtained consent from the town authorities of North Elba.

The petitioner was incorporated July 10, 1905, to supply

electricity generated at a water power plant at Franklin Falls in the towns of Brighton, Bellmont and Harrietstown, Franklin county, the towns of St. Armand and North Elba in Essex county, and the towns of Black Brook, Saranac and Dannemora, in Clinton county, and in the villages of Saranac Lake, Lake Placid and Bloomingdale. Consents were submitted from the several towns except North Elba. A fifty year franchise, not exclusive, dated April 29, 1901, granted to Paul Smith, Jr., by the village of Lake Placid, was submitted by the petitioner. It was claimed on the part of the village that the franchise was granted on condition that a lighting system should be installed within two years, and not having been acted on the same was void.

The Saranac Lake Light, Heat & Power Company operated a water power plant at Saranac Lake. Upwards of two-thirds of the stock of that company was owned by the same persons incorporating the petitioner.

Estimates and contracts for the proposed work amounting to \$109,725 were presented by the petitioner. The water power was valued at \$15,000 and it was claimed that it was capable of developing 2,400 horse power. The petitioner claimed that the water power of the proposed municipal plant at Lake Placid was insufficient, and the evidence was largely addressed to this issue. Hearings were had at Albany, January 18, and February 16, 1906, Badger & Cantwell appearing for the petitioner and Frederick A. Isham for the village of Lake Placid.

The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, except as hereinafter stated, and the Commission of Gas and Electricity hereby certifies in accordance with section 11, chapter 737, of the Laws of 1905, that the said Paul Smith's Electric Light & Power Company is authorized to exercise its powers and to transact business within this State, except in the village of Lake Placid, Essex county, New York; and the said Commission hereby further certifies in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of seventy-five thousand dollars (\$75,000) is reasonably required for the purposes for which such issue is authorized, and this Commission hereby approves of and consents to the issue by Paul Smith's Electric Light & Power Company, in conformity with all the requirements of law relat-

ing thereto, of seven hundred fifty shares of capital stock of the par value of one hundred dollars (\$100) each; and it is

Further Ordered, That said authorized issue of stock or the proceeds thereof shall be applied in the following manner, and not otherwise, namely: In the purchase of water power at Franklin Falls and in the construction of a concrete dam at said falls and in the purchase of water wheels, generators, transformers, machinery and equipment connected with electric lighting in the various towns and villages mentioned in its certificate of incorporation, except in the village of Lake Placid and the town of North Elba; and it is

Further Ordered, That said application for consent to further issue of capital stock than is hereinbefore consented to be and is hereby denied.

In the Matter of the Application of the Red Hook Light & Power Company for a certificate of authority to transact business, and for consent to issue \$25,000 stock and \$20,000 bonds.

In the fall of 1905 an individual electric plant was installed in the village of Red Hook, Dutchess county. The cost of the plant, which was erected under favorable conditions, was \$10,965. A water power at Annandale, several miles distant, was utilized under an arrangement for a lease from May 1st for two years, with privilege of renewal. Franchises had been granted by Red Hook and by the village of Tivoli, also by the town of Red Hook. Red Hook village had a population of 1,040 and Tivoli, 1,200. Oil lamps had been previously used for street lighting at Red Hook, but under a temporary arrangement until May 1st, pending the making of a new contract, the plant was supplying 100 incandescent street lamps on a 1 a. m. schedule at ten cents per light per night. About fifty consumers were supplied, and the plant had operated at a profit from the start. There was no gas plant at either village and the water power was ample. The Red Hook Light & Power Company was incorporated February 13, 1906, and petitioned February 23rd for a certificate of authority to do business, proposing to take over the individual plant and complete the system. Consent was asked to the issue of \$25,000 stock and \$20,000 5½ per cent. 20-year bonds, the latter to be

used for extending the plant to Tivoli and the erection of a steam plant at Red Hook, if deemed advisable before the termination of the lease of the water power. Estimates were furnished involving the expenditure of \$9,539 at Tivoli, and \$10,150 at Red Hook. The proper action of the stockholders and directors had been taken, and the lease and franchises assigned to the new company. A hearing was had March 15th at Albany, John P. Grant, appearing for the petitioner.

The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that the said Red Hook Light & Power Company is authorized to exercise its powers and to transact business within this State, and the said Commission hereby further certifies, in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of twelve thousand dollars (\$12,000), and bonds to the amount of ten thousand dollars (\$10,000), are reasonably required for the purposes for which such issue is authorized, and this Commission hereby approves of and consents to the issue by Red Hook Light & Power Company, in conformity with all the requirements of law relating thereto, of one hundred twenty (120) shares of capital stock of the par value of one hundred dollars (\$100) each, and of first mortgage bonds to the par value of ten thousand dollars (\$10,000), to bear interest at a rate not to exceed five and one-half ($5\frac{1}{2}$) per cent. per annum, and to be redeemable in not to exceed twenty (20) years from the date thereof, or after five (5) years upon the payment of five (5) per cent. premium in addition to the accumulated interest, and it is

Further Ordered, That said issue of stock or the proceeds thereof, be applied to the following purposes and to no other, to wit: To the purchase of the electric light plant installed by John H. Sharpe in the village of Annandale, county of Dutchess, and now in operation, together with the rights, leases, privileges and franchises owned by said John H. Sharpe and assigned to the petitioner the 9th day of February, 1906, and it is

Further Ordered, That said issue of bonds, or the proceeds thereof, shall be applied to the following purposes and to no other, to wit: To provide improvements and additions to the electric plant at Annandale, and to the installation of poles, wires, meters, transformers and other fixtures necessary for the con-

struction of a distribution system to and through the village of Tivoli, and it is

Further Ordered, That the application for a further issue of stock and bonds, than as above consented to, be and the same is hereby denied without prejudice to a further application for the issue of bonds for the installation of a power plant at Red Hook.

In the Matter of the Application of the West Shore Gas Company for certificate of authority to transact business, and for consent to issue \$85,000 stock and \$85,000 bonds.

The West Shore Gas Company filed an application with the Commission December 29, 1905, for a certificate of authority to transact business, and for consent to issue \$85,000 stock and \$85,000 bonds. It is the purpose of the company to manufacture and supply gas in the villages of Haverstraw and West Haverstraw, Rockland county. In 1893 the Haverstraw Light & Fuel Gas Company was organized as the successor of the Murray Gas Company. Its capitalization was \$350,000, of which \$100,000 was first mortgage bonds. In 1903, the company having defaulted in the payment of interest on the bonds, foreclosure proceedings were begun, and the assets of the company sold under judgment, for \$21,000. The applicant plans to purchase the plant and property of the old company and to issue in payment therefor \$60,000 of capital stock and \$60,000 of bonds. The balance of its capitalization will be devoted to improving the plant and extending the distributing system to the village of West Haverstraw.

A number of hearings were held on the application. The Rockland Light & Power Company, which is engaged in supplying electricity throughout Rockland county, appeared in opposition and contended that a fair and reasonable value of the plant and property to be purchased was about \$60,000, and that the application to issue stock and bonds to the amount of \$170,000 should either be denied or the amount greatly reduced.

The population of Haverstraw is about 9,000, and that of West Haverstraw about 2,300. The engineer of the Commission made a detailed examination of the plant and property.

The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and

Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that the said company is authorized to exercise its powers and to transact business within this State; and this Commission hereby further certifies, in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of forty-five thousand dollars (\$45,000) and bonds to the amount of forty thousand dollars (\$40,000) are reasonably required for the purposes for which such issue is authorized; and this Commission hereby approves of and consents to the issue by the West Shore Gas Company, in conformity with all the requirements of law relating thereto, of four hundred and fifty (450) shares of capital stock of the par value of one hundred dollars (\$100) each, and of forty (40) first mortgage bonds of the par value of one thousand dollars (\$1,000) each, to pay interest at a rate not to exceed five per cent. per annum, and to be redeemable in not to exceed twenty years from the date thereof; and it is further

Ordered, That said application for consent to further issue of stock and bonds than as above consented to is hereby denied; and it is further

Ordered, That said issue of forty thousand dollars (\$40,000) of bonds and forty-five thousand dollars (\$45,000) of capital stock, or the proceeds thereof, be applied to the following purposes, and to no other to-wit: Twenty-five (25) of said bonds, together with fifteen thousand dollars (\$15,000) of the authorized capital stock, to be applied to the purchase of the gas plant, properties and franchises known and described as the property of the Haverstraw Light and Fuel Gas Company, and all of said plant and properties, free and clear of all indebtedness; ten thousand dollars (\$10,000) of the authorized capital stock to be applied to the installation of new generating apparatus, relief holder, exhauster, pump, piping, elevator and other improvements at the manufacturing plant which are deemed necessary by the Commission to insure the production of a proper quality of illuminating gas and economical operation of the plant; fifteen (15) of said bonds, together with twenty thousand dollars (\$20,000) of the authorized capital stock to be applied to extensions and improvements to the distributing system of the company, and to the payment of miscellaneous expenses incidental thereto.

In the Matter of the Application of the Andover Electric Power & Light Company for a certificate of authority to transact business, and for consent to issue \$10,000 stock.

The Andover Electric Power & Light Company petitioned, January 22, 1906, for the approval of its incorporation, a certificate of which was filed June 12, 1905, in the office of the Secretary of State. It was proposed to furnish electricity for lighting and power in the village of Andover, Allegany county, where it had obtained a franchise. There was no other electric light plant in operation. The proposed issue of capital stock was \$10,000, to consist of 200 shares of \$50 each. A hearing was had February 16, at which papers were submitted and the case closed.

The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that the said Andover Electric Power & Light Company is authorized to exercise its powers and to transact business within the State; and the said Commission hereby further certifies, in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of ten thousand dollars (\$10,000) is reasonably required for the purposes for which such issue is authorized, and this Commission hereby approves of and consents to the issue by the Andover Electric Power & Light Company, in conformity with all the requirements of law relating thereto, of two hundred (200) shares of capital stock of the par value of fifty dollars (\$50) each; and it is further

Ordered, That said issue of stock, or the proceeds thereof, shall be applied to the purchase of machinery and materials and the construction of an electric light and power plant in the village of Andover, and to no other purpose.

In the Matter of the Application of the West Branch Light and Power Company, for a certificate of authority to transact business, and for consent to issue \$50,000 bonds and \$50,000 stock, and for permission to acquire stock, bonds and franchises of the Stamford Electric Light Company.

The West Branch Light and Power Company was organized December 2, 1905, to develop a water power situated near South

Kortright, which the company had contracted to purchase for \$2,500, and proposed to utilize to supply the village of Stamford, about nine miles distant, with electric current for light, heat and power.

Stamford has a nominal population of about 1,000, and at the date of this application was supplied with lights by the Stamford Electric Company. The plant of the company was found to be inadequate to meet the increased demands for light during the summer season, when the population increases to about 3,000.

The new company proposed to acquire the stock, bonds and franchises of the Stamford Company, and to supply not only the necessary lights for Stamford, but also to light the smaller villages of Hobart and South Kortright.

Stamford Electric Company, organized in 1892, had issued and outstanding \$20,000 stock and \$20,000 five per cent. bonds.

The West Branch company petitioned for consent to do business and to issue \$50,000 capital stock for the purpose of purchasing the stock and franchises of the Stamford Electric Company, and to issue \$50,000 five per cent. or five and a half per cent. twenty year first mortgage bonds, \$20,000 of which was to be set aside to retire the bonds of the Stamford Electric Company which mature one each year until 1922; \$5,000 to be held in reserve to install supplemental power at the water plant if necessary; \$1,500 to pay the floating debt of the old company of that amount, and the remaining \$23,500 to be used for general construction and development work.

Pursuant to published notices, hearings were had in Albany, March 15 and April 4, at which John P. Grant appeared on behalf of the company; no opposition developed. Additional papers were subsequently filed, among them a statement showing the following schedule of rates proposed to be adopted by the company:

METER RATES.

To all annual meter consumers, 10c. per kwh.

To all consumers using more than 200 kwh. per month, 8c. per kwh.

To patrons using electric current during the months of June, July, August and September only, 20c. per kwh., except summer hotels, for which the rate would be 15c. per kwh.

All patrons to have the right to metered service, if desired.

FLAT RATES.

16 c. p. lamps, 70c. per month.

10 c. p. lamps, 50c. per month.

8 c. p. lamps, 40 c. per month.

Store rooms, cellars and stables half rates.

The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that the said West Branch Light and Power Company is authorized to exercise its powers and to transact business within this state, within the towns of Stamford and Harpersfield, Delaware County, and in the villages of Hobart and Stamford in said county; and the said Commission hereby further certifies, in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of five thousand dollars (\$5,000) and bonds to the amount of forty-five thousand dollars (\$45,000) are reasonably required for the purposes for which such issues are authorized, and this Commission hereby approves of and consents to the issue by the West Branch Light and Power Company, in conformity with all the requirements of law relating thereto, of fifty (50) shares of capital stock of the par value of one hundred dollars (\$100) each and of first mortgage gold bonds of the amount of forty-five thousand dollars (\$45,000), bearing interest at a rate not to exceed five per cent. (5%) per annum and to be redeemable in not to exceed twenty years from the date thereof, and that said application for consent to further issue of stock and bonds than as above consented to is hereby denied; and it is further

Ordered, That the Commission of Gas and Electricity approves of and does hereby consent to the purchase by the West Branch Light and Power Company of the stock, property, rights, leases, privileges and franchises of the Stamford Electric Light Company and to the exchange therefor of its capital stock to the amount herein authorized; and it is further

Ordered, That said issue of bonds, or the proceeds thereof, be applied to the following purposes, and to no other, to wit: Twenty thousand dollars (\$20,000) thereof to be set apart and used for the purpose of retiring twenty thousand dollars (\$20,000) of bonds issued and outstanding by the said Stamford Electric

Light Company; one thousand and five hundred dollars (\$1,500) thereof, or so much of the proceeds thereof as may be necessary to be used to pay the floating debt now outstanding of the Stamford Electric Light Company; two thousand five hundred dollars (\$2,500) thereof to be used in purchasing certain water rights and privileges at South Kortright; and the remaining twenty-one thousand dollars (\$21,000) of said issue to be used in purchasing and installing the necessary water plant, erecting a power house, constructing the necessary transmission lines from the power house at South Kortright to the village of Stamford and through the village of Hobart and South Kortright, and for purchasing and installing the necessary electrical machinery, apparatus and distributing system; and it is further

Ordered, That the West Branch Light and Power Company shall be permitted, without further application to this Commission, to purchase and retire from time to time any part of the said issue of forty-five thousand dollars (\$45,000) bonds, with the consent of the owners thereof, and issue in payment therefor capital stock to an amount the par value of which is equal to the par value of the bonds so retired.

In the Matter of the Application of Eureka Gas Company, pursuant to chapter 737 of the Laws of 1905, for a certificate of authority to transact business and for consent to issue \$2,000 capital stock and \$5,000 first mortgage bonds.

Eureka Gas Company, incorporated January 22, 1906, made application July 30, 1906, for a certificate of authority to transact business and for consent to issue \$2,000 stock and \$5,000 bonds. It was proposed to take over the property, rights, contracts, etc., of the Eureka Gas Company, unincorporated, supplying acetylene gas for street and commercial lighting in Candor, Tioga county (population 1,150). The applicant had entered into a contract for the purchase of the property and franchises of the old company at \$7,000, at which amount the plant and assets were valued. The Candor Gas Company, unincorporated, and operating in connection with a manufacturing plant, supplied gasolene gas to a limited extent to private consumers.

The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that the said Eureka Gas Company is authorized to exercise its powers and to transact business within the village of Candor, Tioga county; and the said Commission hereby further certifies, in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of two thousand dollars (\$2,000) and bonds to the amount of five thousand dollars (\$5,000) are reasonably required for the purpose for which such issues are authorized, and this Commission hereby approves of and consents to the issue by Eureka Gas Company, in conformity with all the requirements of law relating thereto, of eighty (80) shares of capital stock of the par value of twenty-five dollars (\$25) each, and of one hundred (100) bonds of fifty dollars (\$50) each, bearing interest at a rate not to exceed five (5) per cent. per annum, and payable twenty (20) years from the date thereof; and it is further

Ordered, That said issues of stock and bonds, or the proceeds thereof, be applied to the following purpose and to no other, to-wit: to the purchase of all the assets (to include not less than \$900 in cash), rights, leases, franchises, equipment and property of the Eureka Gas Company, unincorporated.

In the Matter of the Application of The Pavilion Natural Gas Company, for a certificate of authority to transact business and for consent to issue capital stock to the amount of \$100,000.

The Pavilion Natural Gas Company, with an authorized capital stock of \$100,000, filed a certificate of incorporation, under the Business Corporations Law, November 15, 1905, in ignorance of the application of the Commission Act to natural gas companies, purchased a well and extensive gas leases in Genesee county, and drilled new wells at a cost of about \$12,000. At the date of filing application the company was supplying Pavilion and had applied for a franchise in LeRoy. Stock exceeding \$75,000 had been issued without the consent of the Commission, and the investment of the proceeds was proposed to build the system. The population

to be served was about 6,000, and the wells already dug were producing sufficient for the needs of the community. After filing the application the company obtained a franchise from the authorities of LeRoy and submitted an amended petition. This franchise required the company to supply 500,000 cubic feet of natural gas a day within a period of one year, and limited the price to forty cents per thousand, or in case of inability to supply natural gas, manufactured gas was to be furnished at one dollar per thousand. At this time a company was serving LeRoy with manufactured gas and with electricity. There was, however, an urgent demand for natural gas, and it was estimated that 800 meters could be installed.

A hearing was had at the Capitol, September 5, Frank L. Barnett appearing for the petitioner; no one in opposition. The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that The Pavilion Natural Gas Company is authorized to exercise its powers and to transact business within the State; and the said Commission hereby further certifies, in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of one hundred thousand dollars (\$100,000) is reasonably required for the purposes for which such issue is authorized, and this Commission hereby approves of and consents to the issue by The Pavilion Natural Gas Company, in conformity with all the requirements of law relating thereto, of one thousand (1,000) shares of capital stock of the par value of one hundred dollars (\$100) each; and it is further.

Ordered, That this order be filed in the office of this Commission *nunc pro tunc* as of the 20th day of November, 1905.

In the Matter of the Application of The Cherry Valley Gas Company for a certificate of authority to transact business and for consent to issue capital stock to the amount of \$10,000.

The Cherry Valley Gas Company, incorporated September 18, 1906, petitioned for a certificate of authority and for consent to

issue \$10,000 stock, the authorized amount. A franchise had been obtained from the village of Cherry Valley (population 750) to furnish acetylene gas. The village had no gas or electric service. The plant expense was estimated at about \$5,400.

A hearing was had at the Capitol, October 10, S. W. Barnum appearing for the petitioner, and no one in opposition. The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that The Cherry Valley Gas Company is authorized to exercise its powers and to transact business within the State, and the said Commission hereby further certifies, in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of six thousand dollars (\$6,000) is reasonably required for the purposes for which such issue is authorized, and this Commission hereby approves of and consents to the issue by The Cherry Valley Gas Company, in conformity with all the requirements of law relating thereto, of two hundred and forty (240) shares of capital stock of the par value of twenty-five dollars (\$25) each; and it is further

Ordered, That said application for consent to further issue of stock than is above consented to is hereby denied.

In the Matter of the Application of the Citizens Lighting Company of Oswego for a certificate of authority and for consent to issue \$75,000 capital stock.

The Citizens Lighting Company of Oswego petitioned, December 19, 1905, for a certificate of authority to transact business and to issue \$75,000 capital stock. The company was incorporated November 9, 1905, and proposed to operate an electric plant to supply certain streets in the business section of Oswego with commercial lighting, for which a franchise had been granted by the Common Council November 28, 1905. The petitioning company claimed that the existing system of lighting owned by the Peoples Gas & Electric Company was inadequate. Section 44 of the charter of the city of Oswego (Laws of 1895, chapter 394) prevented the granting of franchises by the Common Council to gas or electric companies "without and until the legal consent duly

acknowledged of at least one-half of the owners of abutting property shall first have been obtained and filed with the city clerk." Accompanying the franchise was a certificate of the chief assessor that the required consents had been obtained for the streets named in the franchise.

The Citizens Lighting Company proposed in its petition to expend and use the \$75,000 capital stock as follows: \$19,000 for water power site; \$7,300 for power house; \$4,500 for generators, pole line and other equipment, and \$19,000 for working capital.

The Peoples Gas & Electric Company opposed the application. An answer was filed, February 9, 1906, alleging that the Peoples Gas & Electric Company was furnishing proper and efficient service at fair and reasonable rates.

Hearings were had in the City of Albany, December 29th, and at Oswego on the 15th and 16th of February, and the 5th, 6th and 7th days of March, Elisha B. Powell, Merrick Stowell, of counsel, appearing for the petitioner; and James W. Gerard, of Bowers & Sands, George N. Burt, of counsel, appearing for the Peoples Gas & Electric Company.

At the hearing the Peoples Gas & Electric Company raised the question of the validity of the franchise of the Citizens Lighting Company, and asked leave to introduce evidence relating to the insufficiency of the consents of the abutting property owners. Reception of the evidence was taken under advisement and referred to the Attorney-General, who, under date of April 16, 1906, rendered an opinion that the Commission lacked authority to traverse the collateral questions raised by the contesting company, holding that these questions should be tried before the courts. The evidence was therefore excluded, confining the issues to the adequacy of the existing system, the character of the service furnished, and the necessity for a new company. A large number of witnesses were sworn and exhaustive evidence considered.

The Peoples Gas & Electric Company supplied for street light 291 arc lights of 2,000 nominal candle power, and 297 incandescent lamps of 16 candle power, and 225 commercial arcs, and was under contract to furnish the railway with power needed up to 500 horse power. There were also connected approximately 12,000 incandescent lights, supplying about 830 residences and business places, and 250 horse power in motors. The water wheel equipment of the Peoples Gas & Electric Company consists of two pairs of 39-inch wheels of 270 horse power per pair, and one

pair of 44-inch wheels of about 550 horse power under a 16 foot head. Connected with the 44-inch wheels is one 350 kilowatt generator and one 200 kilowatt generator. One of the pair of 39-inch wheels is connected with a generator of 200 kilowatts capacity and the railway company owns the generators connected with the other pair of 39-inch wheels. There is a steam engine of 500 horse power connected with a generator of 250 kilowatts capacity, and another Corliss engine of 350 horse power held in reserve, which can be connected with the railway power. The generator belonging to the railway company connected with the pair of 39-inch wheels usually supplied power for the railroad, though at times both pairs are used for that purpose. It was claimed on the part of the company that it was possible to use both pairs of 39-inch wheels for street railway service and that 1,000 kilowatts could still be supplied for lighting by utilizing the Corliss engine. The water power at the station was estimated by the company at 1,000 horse power, but it was claimed on the part of the Citizens Company that only 660 horse power was available. The company also leased surplus power (14 foot head) from the city, at what is called the upper station, to the amount of 250 horse power if not required by the State, and had a generator at that point of 200 kilowatts capacity for the street lighting.

It was claimed by the Citizens Lighting Company that the maximum load under contract was 2,338 horse power, or, excluding street railway service, 1,838 horse power, and that the maximum capacity of the Peoples Gas & Electric Company was only upwards of 1,200 horse power. The Peoples Gas & Electric Company introduced evidence that 890 kilowatts was the maximum load in Christmas week of 1905, exclusive of street lighting service, and claimed that it had available 1,000 horse power in water wheels, with generators capable of a continuous overload of twenty-five per cent. The usual street lighting load was 210 horse power.

A large number of witnesses were sworn regarding the service, a majority testifying unfavorably.

The rates charged by the Peoples Gas & Electric Company were not complained of. The Peoples Gas & Electric Company objected that the franchise as obtained by the Citizens Company only covered the best business section of the city. Additional franchises covering streets abutting on a large number of blocks were granted by the common council on consent of the property owners, May

15th, 29th and June 30th. These, on motion of the petitioner, were, by order of the Commission, received in evidence.

The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that the said Citizens Lighting Company of Oswego is authorized to exercise its powers and to transact business within this State, and this Commission hereby further certifies, in accordance with section 12, chapter 737, of the Laws of 1905, that capital stock to the amount of seventy-five thousand dollars (\$75,000) is reasonably required for the purposes for which such issue is authorized, and hereby approves of and consents to the issue by the Citizens Lighting Company of Oswego, in conformity with all the requirements of law relating thereto, of seven hundred and fifty (750) shares of capital stock of the par value of one hundred dollars (\$100) each; and it is further

Ordered, That the proceeds of said issue of stock be applied to the construction and equipment of an electric lighting plant and distributing system in the city of Oswego, and to no other purpose; and it is further

Ordered, And this order is granted on the express condition that construction of said plant and equipment be begun on or before November 30, 1906, and that at least fifty thousand dollars (\$50,000) be expended thereon within the period of one year from the date of this order.

In the Matter of the Application of Geneva Power & Light Company and Seneca Edison Company, for consent to consolidate under the name of Geneva-Seneca Electric Company.

Application was made by the Geneva Power & Light Company and Seneca Edison Company for consent to consolidate, pursuant to section 8 of chapter 567, of the Laws of 1890 (Business Corporations Law), under the name of Geneva-Seneca Electric Company, with a capital stock of \$100,000, to supply electricity to the city of Geneva, villages of Seneca Falls and Waterloo and in the Counties of Seneca and Ontario. The capital stock of each company was \$50,000, with outstanding

bonds to the same amount. An agreement of consolidation, dated May 21, 1906, providing for conversion of the stock of the companies into stock of the new company, share for share, was unanimously ratified by the stockholders of both on the 29th of May.

Supplemental affidavits were submitted valuing the physical property of the companies at a sum in excess of the proposed capital stock of the consolidated company. A public hearing was had at Albany, July 6, 1906, James O. Carr appearing for the petitioner, no one in opposition.

The following was adopted:

Ordered, That said application of Geneva Power & Light Company and Seneca Edison Company for consent to consolidate under the name of Geneva-Seneca Electric Company be and the same is hereby granted; and it is

Further Ordered, And the Commission of Gas and Electricity hereby certifies, in accordance with section 11 of chapter 737, of the Laws of 1905, that Geneva-Seneca Electric Company is authorized to exercise its powers and to transact business within this State; and the said Commission further certifies, in accordance with section 12 of chapter 737, of the Laws of 1905, that capital stock to the amount of one hundred thousand dollars (\$100,000) is reasonably required for the purposes for which said issue is authorized, and hereby approves of and consents to the issue by Geneva-Seneca Electric Company, in accordance with all the requirements of law relating thereto, of one thousand (1,000) shares of capital stock of the par value of one hundred dollars (\$100) each, to be distributed in the manner set out in said agreement of consolidation.

CERTIFICATES OF AUTHORITY GRANTED TO MUNICIPALITIES.

NAME OF MUNICIPALITY.	Proposing to furnish.	Date of special election.	Population.	Proposed Expenditure.	Certificate of Authority granted.
Union, village of	Electric lighting to village and inhabitants	Dec. 5, 1905	1,453	\$15,000	Jan. 18, 1906
Theresa, village of	Electric light to village and inhabitants	Mar. 21, 1905	896	23,000	Mar. 2, 1906
Lake Placid, village of	Electric light to village and inhabitants, and that part of Election Dist. No. 1 of town of North Elba adjacent thereto	Mar. 21, 1905	1,541	45,000	Mar. 16, 1906 (Village only).

In the Matter of the Application of the Village of Union, a municipal corporation, for a certificate of authority to build, maintain and operate an electric lighting plant in and for the Village of Union, and to furnish lights for other than municipal purposes.

Application was made by the village of Union, Broome county, for authority to construct an electric light plant and to furnish lights for other than municipal purposes. According to the state enumeration of 1905 Union had a population of 1,453, an increase of 460 over the census of 1900. At the date of the application kerosene was being used for street lighting. A few private buildings were lighted by acetylene and gasoline gas. No franchise for gas or electric lighting had been granted. A special election, December 5, authorized the installation and equipment of a plant to cost, not to exceed \$15,000, and the issue of bonds to that amount. The vote in favor was 102 to 17 opposed. Bonds were outstanding only to the amount of \$8,400 as against an assessed valuation of \$494,765, omitting special franchise assessments. Engineering estimates were furnished for a steam plant of 125 h. p. capacity to supply thirty-five 6.6 ampere alternating current arc lamps, and one thousand 16 c. p. incandescents, to cost \$15,000. A hearing was had January 18th, at the Capitol, A. Ray Humphrey appearing for the petitioner, and no one opposed.

The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that the village of Union is authorized to build, maintain and operate a plant and system for the manufacture and supplying of electricity for lighting purposes and to furnish lights for other than municipal purposes.

In the Matter of the Application of the Village of Theresa, for a certificate of authority to build, maintain and operate an electric lighting plant.

The village of Theresa, Jefferson county, having a population of 900, petitioned for authority to construct, maintain and oper-

ate a municipal lighting plant December 26, 1905, and later, January 17, 1906, filed an amended petition. The taxpayers at a special election March 21, 1905, voted to install an electric lighting system and appropriated three thousand dollars for the purchase of a water power site. The purchase was made and on August 7, 1905, estimates having been obtained, the further sum of twenty thousand dollars was appropriated, the vote being 102 in favor and 61 opposed. Bonds were issued, contracts let and construction was in progress. There was no street electric lighting system and the village desired to have power in the daytime for operating the pumps of its water system. The application was opposed by the owners of an individual plant established in 1895, which supplied about 600 incandescent lights on a 16 c. p. basis to private consumers only. Objection was made that the present plant was adequate and also on the ground of the insufficiency of the water power proposed to be utilized, and further that the limit of bonded indebtedness fixed by section 130 of the village law would be exceeded. Public hearings were held at Albany, January 18 and February 16, Brown, Carlisle & McCartin appearing for the petitioner and Joseph Atwell, for Wakefield & Santway, owners of the individual plant, and at the last hearing Worth Chamberlain appeared for certain taxpayers in opposition. A five-year franchise, dated April 23, 1905, granted to H. A. Reynolds was presented by the objectors. Testimony was taken relating to the efficiency of the present system.

The charge for lighting by the owners of the individual plant was one cent per night per 16 c. p. light for residences, and two cents per night in stores and business places, wiring and supplies in the latter places being furnished by the company. A further meter rate of twelve and one-half cents per K. W. H. was charged to those having meters. The generator was rated at 45 K. W. and operated by water power. Owing to ice and accidents the plant had been shut down 75 nights during the fiscal year ending June 12, 1905, and 24 nights since. It was claimed for the petitioning village that the proposed water power would develop 175 H. P., and that a saving of \$500 now paid for pumping water would be effected annually.

The following was adopted:

Ordered, That said application for a certificate of authority be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies in accordance with section 11,

chapter 737, of the Laws of 1905, that the village of Theresa is authorized to build, maintain and operate for other than municipal purposes a plant and system for the manufacture and supplying of electricity for lighting purposes within the village of Theresa.

In the Matter of the Application of the Village of Lake Placid for a certificate of authority to construct, maintain and operate a municipal electric lighting plant in and for the village, and to furnish lights for other than municipal purposes.

The village of Lake Placid petitioned January 11, 1906, for a certificate of authority to build, maintain and operate a municipal lighting plant to light the village and private residences therein, and in certain territory outside in election district No. 1 of the town of North Elba, the village forming part of the district. The village is a resort having a winter population of 1,600. The streets of the village are lighted with oil. A large number of summer hotels are located in the village and vicinity. This application conflicted with that of The Paul Smith's Electric Light & Power Company (heretofore reviewed), so far as the territory proposed to be supplied by the municipal plant was concerned, and both cases were heard together. The Paul Smith's Electric Light & Power Company objected, claiming to possess a franchise granted in 1901 to Paul Smith, Jr., for fifty years, and that the water power of the municipal plant was deficient and could not supply the demand. The petitioning village had issued its bonds for \$45,000 for the purpose, authorized at a special election held March 21, 1905. The assessed valuation of the village, not including special franchises, amounted to \$1,217,815, with an outstanding indebtedness of \$35,000 sewer bonds and \$110,000 water bonds. Consents had been obtained from the municipal authorities of the town of North Elba. Public hearings were had at Albany, January 18 and February 16, Frederick A. Isham appearing for the petitioner and Badger & Cantwell for The Paul Smith's Electric Light & Power Company in opposition. The village proposed to install two generators, one of 165 and one of 100 kilowatt capacity, with a water wheel of 150 horse power and another of 225 horse power, with a steam auxiliary of 225 horse power. The evidence was largely ad-

dressed to the amount of power which the stream could furnish. It was proposed to supply a maximum load of 15 arcs, 70 25 c. p. incandescent street lights, and 5,000 15 c. p. commercial incandescents. The poles and wires were all up, the water power had been purchased and \$3,700 paid upon the contracts. It was estimated that current could be supplied for 10 cents a kilowatt hour. A motor was also to be installed by the village to operate a power pump in connection with the water supply.

The following was adopted:

Ordered, That the application for a certificate of authority to build, maintain and operate a municipal electric lighting plant in the village of Lake Placid be and the same is hereby granted, and the Commission of Gas and Electricity hereby certifies, in accordance with section 11, chapter 737, of the Laws of 1905, that the village of Lake Placid is authorized to build, maintain and operate a plant and system for the manufacture and supplying of electricity for lighting purposes within the village of Lake Placid and to furnish lights for other than municipal purposes within the said village of Lake Placid.

TRANSFER OF FRANCHISES OR PROPERTY.

NAME OF CORPORATION.	Location.	Transfer of	To	Amount of purchase price proposed.	Amount of purchase price allowed.	Date of Order.
Andover Gas Co.	Andover.....	Tangible property..	Mutual Gas Co., Ltd.	\$13,000	\$13,000	Mar. 28, 1906
Charles Tracy et al	Andover.....	Pipes, mains and property.....	Mutual Gas Co., Ltd.	10,750	10,750	Mar. 28, 1906
Stamford Electric Light Co.	Stamford.....	Property and franchises.....	West Branch Light & Power Co.....	50,000 (stock)	5,000 (stock)	June 5, 1906
Dunkirk Natural Gas Co.	Dunkirk.....	Gas leases and franchises, also all property and appliances.....	W. H. Frost.....	15,900	15,900	July 28, 1906 as of May 5th.
Geneva Power & Light Co. and Seneca Edison Co.	Geneva, Seneca Falls and Waterloo.....	(Consolidation of corporations)....	Geneva-Seneca Electric Co.	(See Certificate of Authority to Companies)		
Saranac Lake Light, Heat & Power Co.	Saranac Lake.....	Plant and franchises.....	Paul Smith's Electric Light & Power & Railroad Co...	300,000 and assumption of \$50,000 bonds.....	150,000	Nov. 22, 1906

In the Matter of the Application of Andover Gas Company for consent to surrender its franchise to the Village of Andover and to sell and transfer its tangible property to the Mutual Gas Company, Ltd.

Andover Gas Company, incorporated in 1900, having an authorized and issued capital stock of \$10,000, and engaged in supplying natural gas to consumers in the village of Andover, Allegany county, petitioned the Commission February 26, 1906, for consent to surrender its franchise to the village and to dispose of its tangible property for the sum of \$13,000 to the Mutual Gas Company, Ltd., of Andover, an operative natural gas company.

The Andover Gas Company was not a producing company. It obtained its gas from Charles Tracy and other individuals who held a joint interest in leases of natural gas properties, and the gas thus obtained was distributed in part through pipes owned by Tracy and his associates. It appeared that these individuals were unwilling to continue to furnish natural gas to the petitioner "on account of the depletion of rock pressure in the territory held by them" and that the discontinuance of this supply would render valueless the tangible property of the Andover Gas Company.

The Mutual Gas Company, Ltd., offered to buy the combined tangible properties of the Andover Gas Company and of Tracy and associates. The latter joined in the proceedings before the Commission by filing an application for consent to dispose of their tangible property, and the Mutual Gas Company also filed a petition requesting the consent of the Commission to the transaction and stating the fair valuation of the properties, which it proposed to purchase for \$23,750, to be \$29,000. The purchase was to be effected by the Mutual Gas Co. as a cash transaction and without the issuance of further capitalization.

A hearing in the matter was had at Albany on March 15th, after published notices of the date, at which Crayton L. Early appeared in behalf of the applicants. No one appeared in opposition.

The Commission, on the 28th of March, 1906, adopted the following:

Ordered, That the Commission of Gas and Electricity hereby consents that the Andover Gas Company surrender its franchise to the village of Andover and sell and transfer to the Mutual

Gas Company, Ltd., of said village, its tangible property, consisting of mains, pipes, gas regulators, meters, appliances and buildings, upon the condition, however, that the said Mutual Gas Company, Ltd., furnish free of charge all the natural gas necessary for lights and fuel in all public or village corporation buildings, and also lights in front of the same, so long as the Mutual Gas Company, Ltd., furnish gas to consumers in the village of Andover, State of New York, provided, however, that nothing herein contained shall require said Mutual Gas Company, Ltd., to furnish gratis any gas for heating or lighting any buildings which may be located now or hereafter erected in the village park of said village, and upon the further condition that the consideration for said sale and transfer, and the price to be paid by said Mutual Gas Company, Ltd., for the tangible property as aforesaid of the Andover Gas Company, shall not exceed the sum of thirteen thousand dollars (\$13,000), and it is

Further Ordered, That the Commission of Gas and Electricity hereby consents that Charles Tracy et al. sell and transfer to the Mutual Gas Company, Ltd., of said village, certain property owned by them as tenants in common, consisting of leases of certain natural gas properties, mains and pipes, upon condition that the price to be paid by the said Mutual Gas Company, Ltd. for said property shall not exceed the sum of ten thousand seven hundred fifty dollars (\$10,750).

In the Matter of the Application of Stamford Electric Light Co.
see review of application of West Branch Electric Light and Power Co., *ante*, p. 60.

In the Matter of the Application of the Dunkirk Natural Gas Company for consent to the sale of its property and franchises to W. H. Frost.

The Dunkirk Natural Gas Company, owner of oil and gas leases upon about 700 acres in the town of Sheridan, Chautauqua county, sold the property and its franchises May 5, 1906, to W. H. Frost of Fredonia. The attention of the company being called to the law, application was subsequently filed asking the consent of the Commission to the transfer, *nunc pro tunc*. A hearing was

The Commission had before it the contract of sale, the corporation being in process of voluntary dissolution.

The Commission had before it the contract of sale, the corporation being in process of voluntary dissolution.

The following was adopted:

Ordered, That said application of Dunkirk Natural Gas Company for consent to transfer its franchise, leases, rights, system and property to said W. H. Frost be and the same is hereby approved; and it is

Further Ordered, That this order be filed in the office of this Commission *nunc pro tunc* as of the 5th day of May, 1906.

In the Matter of the Geneva Power & Light Co. and Seneca Edison Co., see application of Geneva-Seneca Electric Co., *ante*, p. 69.

In the Matter of the Application of Saranac Lake Light, Heat and Power Co., see *ante*, p. 45.

TRANSFER OF STOCKS AND BONDS.

NAME OF CORPORATION.	Location.	Transfer of	To	Amount of purchase price proposed.	Amount of purchase price allowed.	Date of order.
Niagara Falls Gas & Electric Light Co.....	Niagara Falls.....	Stock and bond and mortgage and other obligations amounting to \$306,504.63.....	Niagara Falls Electrical Transmission Company.....	Not exceeding par and interest.....	Not exceeding par and interest.....	Mar. 2, 1906
Albion Power Co.....	Albion, Middleport and Brockport.....	Bond and mortgage and other obligations amounting to \$105,364.....	Niagara Falls Electrical Transmission Co.....	Not to exceed par and interest.....	Not to exceed par and interest.....	Mar. 2, 1906
Oyster Bay Electric Light & Power Co.....	Oyster Bay.....	3,500 shares of stock.....	Nassau Light & Power Co.....	\$26,250	Denied.....	July 24, 1906

In the Matter of the Application of Niagara Falls Gas & Electric Light Co., and Albion Power Co., see Application of Niagara Falls Electrical Transmission Co., *ante*, p. 27.

In the Matter of the Application of Nassau Light & Power Company for consent to acquire 3,500 shares of the capital stock of the Oyster Bay Electric Light & Power Co.

Nassau Light & Power Company of Roslyn petitioned June 20, 1906, for consent to acquire 3,500 shares, the total outstanding issue, of the capital stock of the Oyster Bay Electric Light & Power Company, of the par value of \$35,000, at \$26,250, or \$7.50 per share, par \$10. The proposed purchase was to be from individual owners, the president of the Nassau Company holding 3,401 shares. The petitioner was organized to operate in the towns of Hempstead, No. Hempstead and Oyster Bay, among other places supplying a part of Oyster Bay. Its authorized capital was \$1,500,000, of which \$431,000 was issued. The authorized assets were valued by an expert at \$977,000 and it had obligations of upwards of \$750,000. The Oyster Bay Company also supplied another portion of Oyster Bay. By an agreement between the companies the territory was divided. Several other companies had franchises in the same towns, but no company actually occupied that portion supplied by the Oyster Bay Company. The authorized capital of this Company was \$40,000 and bonds to the amount of \$11,500 were outstanding. The original cost of the plant was \$35,000; physical property was valued at \$22,000, an equity of \$10,500 above the mortgage, and the capacity of its plant 200 H. P., actually using about 100 H. P.

A hearing was held July 6, 1906, at the Capitol, at which Henry A. Uterhart, of Uterhart & Graham, appeared for the petitioner, there being no opposition. It was proposed to make payment of the stock from monthly earnings and the proceeds of loans. Ten cents per kilowatt is the present average charge for current in Oyster Bay and it was proposed to make it 12½ with the addition of a day service and include lamp renewals not now furnished. The plant of the Oyster Bay Company would be utilized during the summer time for the peak of the load.

The following was adopted:

Ordered, That said application for authority to purchase thirty-five hundred (3,500) shares, at the price of seven dollars and fifty cents (\$7.50) per share, of the capital stock of said Oyster Bay Electric Light & Power Company of the par value of ten dollars (\$10) per share, be and the same is hereby denied.

COMPLAINTS—PRICE OF GAS AND ELECTRICITY.

COMPANY.	Complainant.	Price complained of.	Price ordered.	To take effect.	Other provisions.
Consolidated Gas Co. of N. Y.	Edward C. Keys et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
Consolidated Gas Co. of N. Y.	R. H. & M. McGurkin et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
The Standard Gas Light Co. of New York.	Ernest H. Wallace et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
The Standard Gas Light Co. of New York.	Herman Pape et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
New Amsterdam Gas Co.	Harry Marks et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
New Amsterdam Gas Co.	Ross O. McElroy et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
The New York Mutual Gas Light Co.	P. Finkelstein et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
The New York Mutual Gas Light Co.	James T. Coughlin et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
Northern Union Gas Co.	P. N. Gardner et al. customers.	\$1.00 per M.	85c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
Northern Union Gas Co.	Henry A. O'Brien et al. customers.	\$1.00 per M.	85c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
Central Union Gas Co.	H. Brown et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
Central Union Gas Co.	Nell J. Dimond et al. customers.	\$1.00 per M.	80c. per M.	May 1, 1906	22 c.p. and statutory provision as to purity.
Auburn Gas Co.	Mayor of the City of Auburn.	\$1.35 gross. 1.25 net	By agreement. \$1.13 net. 1.08 (1909-10) 1.00 (1910).	Aug. 1, 1906	18 c.p. and 600 B. t. u. per c. f.; 34 in. pressure not exceeded.

Plattsburgh Light, Heat & Power Co.....	Mayor of the City of Plattsburgh..	\$2.50 gross (30-30 or 40 per cent. disc lighting) \$1.50 to 1.25 and 1.00 heating. 20-hp. kw. electric lighting.	By agreement \$1.40 to 1.50 to 1.80 net lighting \$1.00-1.15-1.40 net heating. Electricity: 6, 8 & 12c. kw. net. lighting. Meter rent on bills less than \$1.00 per month. By agreement No change in city lighting contract.	June 1, 1906	18 c.p. and statutory provision as to purity and at same average pressure as heretofore (gas)
The Lozier Light & Power Co.....	Mayor of the City of Plattsburgh..	\$71 arc lights 0355 kw. on meter.	By agreement No change in city lighting contract.	June 1, 1906	See Plattsburgh Light, Heat & Power Co. complaint.
Syracuse Lighting Co. and Syracuse Gas Co.....	Mayor of the City of Syracuse....	\$1 per M gas arc lts. \$85.77 arcs (contract), \$82.12 arcs (bid), 10c. kw. commercial, elec. public bldgs. 8c. (contract) 7c. (bid), electric.	95c. per M gas arc lts. \$68 Commercial 9c to Oct. 1, '07, 8c. thereafter.	Oct. 1, 1906	18 c.p. 5 grains of ammonia, 20 grains of sulphur and a trace of sulphuretted hydrogen permitted; pressure not less than 1 inch.

In the Matter of the Complaints against the New York City Gas Companies.

As was stated in the first annual report, the Commission began on November 20, 1905, an investigation, as a result of complaints submitted to it, into the price, purity, pressure and quality of gas sold by the various companies operating in the boroughs of Manhattan, The Bronx, and Brooklyn. These complaints were submitted to the Commission, in accordance with section 15, of chapter 737, of the Laws of 1905, by 100 or more consumers of gas of each company against which complaint was made, and were directed against the following companies:

Consolidated Gas Company of New York, operating in the borough of Manhattan,

The Standard Gas Light Company, operating in the borough of Manhattan,

New Amsterdam Gas Company, operating in the borough of Manhattan,

The New York Mutual Gas Light Company, operating in the borough of Manhattan,

Central Union Gas Company, operating in the borough of The Bronx,

Northern Union Gas Company, operating in the borough of The Bronx,

Brooklyn Union Gas Company, operating in the borough of Brooklyn.

This investigation, in so far as it affected the companies operating in the boroughs of Manhattan and The Bronx, was completed on February 23, 1906, when an order was made by the unanimous report of the Commission, fixing the price of gas sold by the Consolidated Gas Company, The Standard Gas Light Company, the New Amsterdam Gas Company, The New York Mutual Gas Light Company and the Central Union Gas Company, at 80 cents a thousand cubic feet, and by the Northern Union Gas Company, which operates in the sparsely settled portion of the borough of The Bronx, at 85 cents a thousand cubic feet.

The action of the Commission was shortly followed by the passage of an act by the Legislature (chap. 125 of the Laws of 1906), which was approved by the Executive, fixing the price of gas in the City of New York (with some minor territorial exceptions), at 80 cents a thousand cubic feet. This action of the Legislature applied to the Brooklyn Union Gas Company, operating

in the borough of Brooklyn, as well as to the Manhattan and Bronx companies, and as a result of it the Commission suspended its investigation into the cost of making and distributing gas by the Brooklyn Union Gas Company.

Bills of complaint were filed in the Circuit Court of the United States for the Southern District of New York, either by or in behalf of the companies operating in the boroughs of Manhattan and The Bronx which were affected by the order of the Commission and the act of the Legislature fixing the price of gas at 80 cents a thousand cubic feet and in the Circuit Court of the United States for the Eastern District of New York, making the Commission, the Attorney-General and the District Attorneys of New York and Kings counties defendants in an action in equity to prevent the enforcement of the order of the Commission and the act of the Legislature, and to determine the constitutionality of the law creating the Commission and the subsequent law fixing the price of gas. These actions are now pending.

The order of the Commission in the case of the Consolidated Gas Company of New York, which is the same as that made in cases of the other Manhattan and Bronx companies, with the exception of the Northern Union Gas Company, where, as has already been stated, the Commission fixed the price of gas at 85 cents a thousand cubic feet, is as follows:

Ordered that on and after the first day of May, 1906, the maximum price for gas which shall be charged by the Consolidated Gas Company of New York in the borough of Manhattan, city of New York, State of New York, be and is hereby fixed at 80 cents per thousand cubic feet; and it is further

Ordered that the gas furnished, sold and delivered by the Consolidated Gas Company of New York shall have an illuminating power of not less than twenty-two sperm candles of six to a pound burning at the rate of 120 grains of spermaceti per hour, tested at a distance of not less than one mile from the distributing holder by a burner consuming five cubic feet of gas per hour, as is now provided by law; and it is further

Ordered that the gas furnished, sold and delivered by the Consolidated Gas Company of New York shall not contain in each 100 cubic feet of such gas more than five grains of ammonia, nor more than 20 grains of sulphur, nor more than a trace of sulphuretted hydrogen.

As the gas supplied to all customers of the Consolidated Gas Company is delivered through the same service mains as gas sup-

plied to the city of New York, and as the pressure of gas so supplied is fixed by law at not less than one inch nor more than two and one-half inches in any service mains in said city, at any distance from the place of manufacture, said law fixes the pressure of gas at which all customers and consumers of the company must be furnished in said city.

In connection with the order in the case of the Consolidated Gas Company, the Commission made the following memorandum:

The Commission of Gas and Electricity has this day filed an order fixing the maximum rate at which the Consolidated Gas Company of New York shall sell its gas to its consumers for three years from May 1st, 1906, at eighty cents per thousand cubic feet, such gas to be of 22 candle power, and of the purity and pressure now established by law.

Orders have also been issued in the case of the other companies operating in the borough of Manhattan against which complaints were filed, viz.: the New Amsterdam, Standard and Mutual. The rate of eighty cents per thousand cubic feet has been fixed in the case of each of said companies.

Orders will be issued forthwith in the cases of the Central Union and Northern Union Companies, operating in the borough of The Bronx.

An investigation is now being held in the matter of the complaints against the Brooklyn Union Gas Company.

The Consolidated Company is the largest company operating in New York, and on October 31, 1905, had, issued and outstanding, \$80,000,000 capital stock, and bonds and convertible debentures amounting to \$21,245,000. During the nominal year ending October 31, 1905, it sold to

Consumers	13,037,164,550 cu. ft.
Street lamp use	271,199,228 "

Total	13,308,363,773 "
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The Company received an income from

Consumers	\$13,012,206 09
Street lamps	559,823 11

Total	\$13,572,029 20
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The cost of manufacturing and distributing the gas sold to consumers amounts to \$7.920,077.46, or 60.75c. per thousand

cubic feet, not including fixed charges of the Company, amounting to \$936,883.24. This cost per thousand cubic feet includes not only the actual repairs and replacement for the year ending October 31, 1905, but an additional sum sufficient to bring the expenditures for repairs and replacements to the average expenditure by the Company for twenty years for these items.

Upon the hearing the Consolidated Gas Company produced its contracts for the purchase of oil, coal and other materials used in the manufacture of gas, and also its contracts for the sale of its residuals.

On the first day of July, 1905, a law passed by the Legislature of 1905 went into effect, which compelled the Consolidated Gas Company to furnish gas of an illuminating power of 22 candles, which was an increase of two candle power over that formerly prescribed by law.

The nominal year ending October 31, 1905, included four months only of operation under the higher candle power requirements. As those months were during the warmer weather when the cost of enrichment is least, the Commission found that 1.81c per thousand cubic feet should be added to the actual cost of gas as found for the nominal year to obtain the cost of manufacturing and distributing gas of 22 candle power for 12 months.

The value of the property of the Consolidated Gas Company actually employed in the manufacture and distribution of gas on October 31, 1905, did not exceed the sum of \$30,000,000.

Evidence taken before the Committee appointed by the Senate by resolution adopted May 15, 1885, was introduced, showing the cost of the properties of the constituent companies, exclusive of franchises, as appeared on their books, to be in 1884 \$20,942,632 88

The net additions for construction from 1884 to

October 31, 1905, amounted to 9,693,565 90

To this should be added value of materials on

hand October 31, 1905 616,470 08

\$31,252,668 86

Recently property at Eighteenth street, formerly used as a coal gas manufacturing plant by the Consolidated Gas Company, was condemned by the city of New York, and while an award has not

yet been made by the Commissioners appointed to condemn said property, title has passed to the city and the amount of the award, when made, will carry interest at the rate of six per cent. from the date the city took title. The value of the property so taken is not actually used by the Consolidated Gas Company in the manufacture and distribution of gas. The value of said property as testified to by the Consolidated Gas Company on the condemnation proceedings was \$2,655,000.

The Commission also had before it the return of the Consolidated Gas Company made to the State Board of Tax Commissioners for the purpose of taxation, which return was duly verified. The value of the property of the Company was shown by the return to the State Tax Commissioners June 30, 1905, exclusive of franchise, allowing for depreciation of the real estate, plant, mains, services and material and also meters, supplies and other personal property, was \$27,408,700.91. It was contended by the company that the amount so returned to the State Board of Tax Commissioners did not represent the true value. But all of this testimony, with other pertinent evidence, was considered by the Commission in arriving at the value of the property of the Consolidated Gas Company actually used in the manufacture and distribution of gas.

In allowing a fair return upon the value of the property actually employed in the gas making business, account has been taken of the nature and hazard of the business and of the return allowed on similar investments.

The Commission thinks that eight per cent. is a reasonable return upon the actual value of the property owned by the Company and used in the manufacture and distribution of gas. It will be remembered that this return is not based upon the capitalization of the company, but upon the actual capital engaged in the manufacture and distribution of gas.

It was strenuously urged before the Commission on behalf of the Company that the Commission should allow the capitalization of the Company's franchise as it was assessed by the State Board of Tax Commissioners at \$7,781,000, and upon this the Company paid a yearly tax, which entitled the Company as a matter of law to such capitalization. On the evidence before the Commission it is questionable whether the Consolidated Gas Company has franchises of any considerable value. The Commission believes that

these franchises, granted by the people without compensation, should not be capitalized against the public, thereby compelling the public to pay a profit upon the value of the favor granted by it. The seeming injustice of requiring a corporation to pay taxes upon a franchise and at the same time refusing to allow the capitalization of that franchise is sophistical, not real. The franchise tax is paid by the corporation but charged against the public as an expense of operation and in reality is therefore paid by the consumer, not by the company.

The Astoria Light, Heat and Power Company is building a plant at Astoria, Long Island, and proposes building a tunnel under the East river connecting its works with the distributing system of the Consolidated Gas Company in Manhattan. The Consolidated Gas Company is the owner of all of the capital stock of the Astoria Company. Large expenditures have already been made in the construction of its first unit, which unit will have a total capacity of 20,000,000 cubic feet per day, while the plant when completed will eventually produce an amount of gas equivalent to that now sold by the Consolidated Gas Company on the Island of Manhattan, including that purchased from other companies by it. Considerable evidence was taken in reference to the Astoria plant and the proposed removal of the Consolidated manufacturing plant thereto. The Company claims that such removal from the Island of Manhattan is made in obedience to a public demand therefor. In any event, the Commission believes that the prospective economies in the cost of manufacture and the increase in the sales of gas by reason of the reduction in price will enable the company to pay a reasonable return on any necessary investment in Astoria.

This conclusion was arrived at by the Commission after a most exhaustive and painstaking hearing and investigation, covering a period of nearly three months, in the course of which the plants of the Company were examined and over 5,000 pages of testimony taken.

It will be remembered that this investigation was not initiated by the Commission, as it has no authority to inquire into and fix the price of gas in the city of New York or elsewhere except upon the complaint of 100 or more customers of the company complained against or upon the complaint of the mayor of a city. After such complaint was made such investigation was commenced and the Commission then had but one duty to perform

and that was to proceed with the same as carefully and as expeditiously as possible.

The Commission believes that the natural increase in gas sales will be greatly stimulated by the reduction in price and is satisfied that the price fixed is fair to the consumer, the public and the company.

The combined authorized capital stock of the seven companies operating in the boroughs of Manhattan, The Bronx and Brooklyn, against which complaints were made, aggregated the sum of \$161,500,000, of which \$133,946,400 has been issued. The outstanding bonded indebtedness of the same companies amounted to \$61,914,600. The annual sale of gas by the same companies to consumers was 26,626,628,183 cubic feet and to the city of New York, 763,958,259.

In the Matter of the Complaint of the Mayor of the City of Auburn, as to the illuminating power, purity, pressure and price of gas furnished by the Auburn Gas Company.

The Mayor of the city of Auburn made formal complaint to the Commission December 30, 1905, as to the illuminating power, purity, pressure and price of gas furnished by the Auburn Gas Company. The complaint alleged that since 1902 another company, known as the Citizens Light and Power Company, had also supplied gas in the business portion of the city, which was generally termed the competitive district, where the price of 50 cents net per thousand feet had been reached. The price charged by the Auburn Gas Company in the non-competitive district had been \$1.35 net. In the fall of 1905 the Citizens Light and Power Company sold its gas plant and franchise, retaining its electric plant, to the Auburn Gas Company. The mains of the two companies were connected and a uniform price of \$1.25 per thousand adopted, which was the price at the time of the filing of the complaint. The gas supplied by the Auburn Gas Company was manufactured by the Empire Coke Company of Geneva and delivered at Auburn by pipe line. The coal gas plant of the Auburn Gas Company was not in operation and the water gas plant of the Citizens Company at the time of the institution of the proceedings was operated a portion of the time. The original franchise of the Citizens Company provided for a price of \$1.25

gross and \$1.13 net for illuminating purposes and \$1 for fuel. It was further alleged that coal gas was purchased from the Empire Coke Company at 27 cents per thousand and forced through the meters at a high pressure.

Notice was served on the Company of a hearing February 3rd, at the City Hall, in Auburn. The complainant was represented by Hon. A. C. Aiken, Mayor, and William S. Elder, City Attorney, and the company by Lansing G. Hoskins and Charles A. Hawley, of counsel. F. E. Storke appeared for Thomas M. Osborne, ex-mayor of Auburn, under whose administration the proceedings had been begun. After the closing of the complainant's case, the parties entered into an agreement dated July 9, 1906, which embodied the following provisions on the part of the Auburn Gas Company:

The Auburn Gas Company agreed that beginning with the first day of August, 1906, and up to the first day of August, 1909, rates not to exceed the following should prevail for lighting and heating purposes:

“ One dollar and twenty-three cents per thousand cubic feet, but if paid for on or before the 15th day of the month in which the bill therefor is first rendered, a discount of 10 cents per thousand cubic feet shall be allowed, making the net rate of \$1.13 per thousand cubic feet; from August 1, 1909, to August 1, 1910, \$1.18 per thousand cubic feet, but if paid for on or before the 15th day of the month in which the bill therefor is first rendered, a discount of 10 cents per thousand cubic feet shall be allowed, making the net rate \$1.08 per thousand cubic feet; on and after August 1, 1910, \$1.10 per thousand cubic feet, but if paid on or before the 15th day of the month in which the bill therefor is first rendered, a discount of 10 cents per thousand cubic feet shall be allowed, making the net rate \$1 per thousand cubic feet; ”

with a minimum rate of 50 cents per month. And it was further agreed that the gas shall be of not less than 18 candle power, and as regards purity comply with the standard to be fixed by the Commission or established by law, and shall have a heating power of not less than 600 British thermal units per cubic foot, and be delivered at a pressure at no time exceeding 3½ inches of water pressure.

In the Matter of the complaint of the Mayor of the city of Plattsburgh as to the illuminating power, pressure, purity and price of gas, and power and intensity of electric light furnished by Plattsburgh Light, Heat and Power Company, and the illuminating power and price of electricity furnished by Lozier Light and Power Company.

Complaint was filed February 2, 1906, by the Mayor of Plattsburgh as to the illuminating power, purity, pressure and price of gas and the power and intensity of electric light furnished by the Plattsburgh Light, Heat and Power Company, and March 19th a further complaint as to the illuminating power and price of electricity supplied by the Lozier Light and Power Company. The rates in force by the Plattsburgh Light, Heat and Power Company were for gas, \$2.50 per thousand with discounts of 20, 30 and 40 per cent., according as the monthly consumption was less than 3,000 cubic feet, from 3,000 to 5,000 cubic feet, or over 5,000 cubic feet respectively. For heating the charge was \$1.50 for less than 1,000 cubic feet per month, \$1.25 from 1,000 to 5,000, and over 5,000 cubic feet \$1. For electric service \$71 was charged per annum for arc lamps burning 4,000 hours, and meter rates varied from 6 to 20 cents per kilowatt hour for commercial arc and incandescent service, and from two to ten cents per kilowatt hour for current for power purposes. The complaint further alleged that the capitalization of the company was excessive.

The Lozier Light and Power Company supplies public lighting to the city under a contract assigned to that company and it was alleged that the light furnished was deficient in candle power, and further that the capitalization of that company also was excessive. The enclosed arc lamps supplied numbered 81, of 2,000 candle power; the incandescents two, of 30 candle power, and 200, of 16 candle power. The price charged for arcs was \$71 per annum, for 30 candle power incandescents \$25, and a metered rate of \$0.355 per kilowatt hour for the 16 candle power lamps.

Hearings on both complaints were had April 28th at Plattsburgh. A. S. Hogue, Corporation Counsel, represented the complainant, and Messrs. Weed, Conway & Cotter the companies. Requests for information were served and an adjournment taken to May 29th. May 24th a request was received for an order discontinuing the proceedings, the parties having entered into an agreement approved by the common council and board of public

works of the city May 14th. The agreement was for the term of three years from June 1, 1906, by which the companies agreed to furnish 18-candle power gas, containing not more than five grains of ammonia, 20 grains of sulphur, nor more than a trace of sulphuretted hydrogen in every one hundred cubic feet, and which shall at least be equal to the gas theretofore furnished in purity, illuminating power and efficiency and at the same average pressure; and that the electric service shall at all times be at least as efficient and of equal quality to that furnished theretofore.

The following were the rates provided for in said agreement:

Gas for Lighting.

When less than 1,000 cubic feet are consumed per month, \$1.90 per M.

When 1,000 cubic feet and less than 5,000 are consumed per month, \$1.60 per M.

When 5,000 cubic feet and over are consumed per month, \$1.50 per M.

For prompt payment on or before the 10th of the month, a discount of 10 cents per M. allowed on all consumed.

Gas for Fuel.

When less than 1,000 cubic feet are consumed per month, \$1.50 per M. gross.

When 1,000 cubic feet and less than 4,000 are consumed per month, \$1.25 per M. gross.

When 4,000 cubic feet and over are consumed in a month, \$1 per M. net.

For prompt payment on or before the 10th of the month, a discount of ten cents per M. allowed on all consumed up to but not including 4,000 cubic feet.

Electric Light.

For first 20 kilowatts consumed per month, 13 cents per kilowatt.

For next 100 kilowatts consumed per month, 9 cents per kilowatt.

All over 120 kilowatts consumed per month, 6 cents per kilowatt.

For prompt payment on or before the 10th of the month, a discount of 1 per cent. per kilowatt allowed on all consumed up to and including 200 kilowatts per month.

For consumption of 250 kilowatts per month and all over, six cents per kilowatt net for total amount used.

Meter rent of twenty cents per month charged on all bills less than \$1 per month.

In the Matter of the Complaint of Alan C. Fobes, as Mayor of the City of Syracuse, against Syracuse Lighting Company.

Hon. Alan C. Fobes, Mayor of the city of Syracuse, filed a complaint October 27, 1905, as to the illuminating power, pressure, purity and price of gas, and the illuminating power and intensity of electric light furnished by Syracuse Lighting Company.

At the time of filing the complaint the city was supplied with street lighting at the rate of \$85.775 for arc lighting, eight cents per kilowatt hour for the city buildings, and the prevailing rate to consumers was twelve cents per kilowatt hour, subject to a discount of two cents for prompt payment.

Hearing was commenced Saturday, January 20, 1906, at the common council chamber, Syracuse, Walter W. Magee, Corporation Counsel, William Rubin and J. C. Tracy, D. Raymond Cobb of counsel, appearing for the complainant, and Messrs. Parker, Hatch & Sheehan, Edward W. Hatch of counsel, Ashley T. Cole, LeRoy B. Williams and John W. Hogan, for Syracuse Lighting Company and Syracuse Gas Company, appearing specially. From March 20 to May 9 inclusive, hearings were had on 24 days. Briefs were ordered to be submitted by June 28th. The following was adopted:

The Commission reduced the price of gas to ninety-five cents per thousand from October 1, 1906, and fixed the price of electric street lighting at \$68, and commercial lighting at nine cents per kilowatt hour to October 1, 1907, and after that date at eight cents per kilowatt hour. The illuminating power was fixed at 18 candle power, and it was ordered that as to purity it should conform to the standard fixed for New York city, and contain in each 100 cubic feet not more than five grains of ammonia, nor more than twenty grains of sulphur, nor more than a trace of

sulphuretted hydrogen, and that the pressure shall be such as to balance a column of water not less than one inch in height.

The company appealed from the order to the Appellate Division in the Fourth Department, and obtained an order staying its execution.

The order of the Commission was as follows:

Ordered that on and after the first day of October, 1906, the maximum price which shall be charged by Syracuse Lighting Company to said city for electric arc street lamps, each consuming 450 watts of electric current at the arc, burning every night on an all night schedule, together with proper inspection and necessary service for care and maintenance, be and is hereby fixed at sixty-eight dollars (\$68) per lamp per year; and it is further

Ordered that on and after the first day of October, 1906, and until the first day of October, 1907, the maximum price for electric current which shall be charged to consumers, except to the city for public street lighting, by the Syracuse Lighting Company in the city of Syracuse, be and is hereby fixed at nine cents per kilowatt hour, and thereafter the maximum price therefor be and is hereby fixed at eight cents per kilowatt hour; and it is further

Ordered that on and after the 1st day of October, 1906, the maximum price for gas which shall be charged by Syracuse Lighting Company and the Syracuse Gas Company or either of them, in the city of Syracuse, be and is hereby fixed at 95 cents per thousand cubic feet; and it is further

Ordered that the gas furnished, sold and delivered by the Syracuse Lighting Company shall have an illuminating power of not less than eighteen sperm candles of six to a pound, burning at the rate of 120 grains of spermaceti per hour, tested at a distance of not less than one mile from the nearest distributing holder by a burner consuming five cubic feet of gas per hour; and it is further

Ordered that the gas furnished, sold and delivered by the Syracuse Lighting Company and the Syracuse Gas Company, or either of them, shall not contain in each one hundred cubic feet of such gas more than five grains of ammonia, nor more than 20 grains of sulphur, nor more than a trace of sulphuretted hydrogen; and it is further

Ordered that the pressure of said illuminating gas in any service mains in the said city shall be such as to balance a column of water not less than one inch in height.

The Commission recommends that the Syracuse Lighting Com-

pany establish and publish a classified schedule of rates for electric current for light, heat and power in the city of Syracuse, that there may be no discrimination in rates for the same kind of service.

The Commission further recommends that the Syracuse Lighting Company establish and at all times maintain an improved system for the regular and efficient inspection of all its electric arc street lamps in service in said city of Syracuse.

PRICES OF GAS REDUCED.

On and after April 1, 1906, the price of gas in Rome was reduced by the Rome Gas, Electric Light and Power Company, from the following:

One dollar and seventy-five cents gross and \$1.50 net for lighting and \$1.40 gross and \$1.20 net for heating purposes to the following:

One dollar and fifty cents gross with discounts as follows for both lighting and heating:

Less than 5,000 feet per mo. 30c per M. or \$1.20 net.

From 5,000 to 10,000 cubic feet 35c. per M. or \$1.15 net.

From 10,000 to 15,000 cubic feet per mo., \$0.40 per M. or \$1.10 net.

From 15,000 to 20,000 cubic feet per mo., \$0.45 per M. or \$1.05 net.

More than 20,000 cubic feet per mo. 50c per M. or \$1 net.

The Cohoes Gas Light Company reduced the price of gas from \$1.50 to \$1.375 per thousand to take effect May 1, 1906.

The Poughkeepsie Light, Heat and Power Company on May first reduced the price of gas from \$1.35 gross for the first 5,000 cubic feet, \$1.25 gross for over 5,000 to 10,000 cubic feet, and \$1.05 for over 10,000 cubic feet, with a discount of five cents per thousand for prompt payment, to the following:

For the first 3,000 cubic feet.....	\$1 25 gross
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For the next 2,000 cubic feet.....	1 15 gross
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For the next 45,000 cubic feet.....	1 05 gross
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For over 50,000 cubic feet.....	95 gross
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with a discount of five cents per thousand for prompt payment.

The Binghamton Gas Works inaugurated January first, a new rate. This rate is an optional rate and depends upon the following items: Six dollars per year consumer charge, \$24 per year

per 100 feet of maximum demand plus 70 cents per M. for all gas used with 10 per cent. discount. One-twelfth of the fixed charge is made payable each month. For example: A person using a five-light meter (rated for the purpose of computation of price at a capacity of 50 cubic feet per hour) would pay 50 cents per month consumer's charge, \$1 demand charge plus 70 cents per M. 10 per cent. discount. A consumer using 60,000 feet per year would pay \$54 or net of 90 cents per M.

The Troy Gas Company, supplying the territory of the city of Troy and village of Waterford, has recently entered into a contract with the city which provides that commencing June 1st instead of a charge of \$1.30 per M., \$1.25 per M. shall be charged with an annual reduction of 5 cents per M. until the price is \$1.10. The company furnishes gas to the city building at \$1.10 per M. and supplies gas lamps for street lighting at 7½ cents per night.

The Peekskill Lighting and Railroad Company on July 1st made the following changes in price charged for gas: The old rate was \$1.60 net for 1,000 feet or less and \$1.60 gross with discounts as follows:

For amounts of 1,000 feet or over, namely, 1,000 to 2,000, 10 cents per M.

2,000 to 5,000, 20 cents; 5,000 to 8,000, 30 cents; over 8,000, 35 cents.

The new rates are: \$1.50 net for less than 2,000 feet with discounts as follows on amounts exceeding 2,000 feet namely: 2,000 to 5,000, 10 cents per M.; 5,000 to 8,000, 20 cents per M.; exceeding 8,000, 25 cents per M.

The city of Lockport, as a condition of entering into a new contract with the Lockport Gas and Electric Light Company for public arc lighting, stipulated that gas for all purposes should be charged for to consumers at large at the rate of \$1.00 net and \$1.10 gross, the new price to go into effect September 1, 1906.

After a test of the illuminating power of the gas furnished for lighting, and negotiations between the mayor of the city of Kingston and the Kingston Gas and Electric Company, the company proposed a reduction from \$1.40 to \$1.25 per M. with discount of 10 cents, to take effect November 1, 1906. The mayor recommended the acceptance of the offer and the same was accepted by the common council September 21, 1906.

The Fulton County Gas and Electric Company, supplying gas to the cities of Gloversville and Johnstown, January 1, 1906, reduced the price of gas from \$1.70 gross and \$1.60 net for lighting, and \$1.50 for fuel, to a rate of \$1.50 for all purposes.

The Peoples Gas and Electric Company of Oswego, reduced the price of gas January 1, 1906, from \$1.75 gross and \$1.50 net to \$1.50 gross and \$1.25 net for lighting purposes.

The Suffolk Gas and Electric Light Company, lighting Bay Shore, Islip and East Islip, March 1, 1906, established a discount of ten cents per M. for cash in 10 days.

Commencing September 1, 1906, the Ithaca Gas Light Company adopted a new schedule of rates for gas as follows:

Gross rate \$1.60 with discounts running from 10 to 60 cents per M., according to consumption. All bids for power amounting to over 5,000 cubic feet per month, are subject to discount of 60 cents per M.

The former rate for lighting was \$1.60 with 10 cents discount.

The Oneonta Light and Power Company will on January 1, 1907, reduce the price of gas from \$1.75 to \$1.50 per M. cubic feet.

The Orange County Lighting Company, of Middletown, N. Y., announced a new rate of charges for gas, beginning January 1, 1907. The new rate is \$1.25 per M. cubic feet for gas for all purposes, the duplicate meter system for lighting and heating being abandoned. The former rate was a sliding scale of \$1.50 to \$2.00 for illuminating gas and \$1.00 and \$1.10 for fuel gas, with a discount of 5 per cent. A special rate of \$1.00 per M. cubic feet is made where the consumption exceeds 50,000 cubic feet per month.

PRICES OF ELECTRICITY REDUCED.

The Buffalo General Electric Company May 1st reduced the price to be charged for electricity for incandescent lighting from a sliding scale of 12 to 4 cents, to a sliding scale of 9 to 4 cents per kilowatt-hour. Reduction was also made in the prices to be charged for series arc lighting, and beginning June 1, 1906, the rate for public arc lighting will be \$56 per annum for not less than 2833 lights, but any new lamp supplied by underground wires to be at the rate of \$75 per annum.

The Troy Gas Company has made a new contract with the city for public lighting for five years from June 1, 1906, to supply about 460 arc lights at 26 cents per night, or \$94.90 per annum as against 32 $\frac{3}{4}$ cents per night previously, and to furnish electricity to the city buildings at 10 cents per kilowatt-hour.

The city of Troy entered into a new contract June 1st with the Beacon Electric Company to supply 178 or more nominal 2,000 candle power arc lamps for street lighting at 26 cents per lamp per night as against 32 $\frac{3}{4}$ cents per lamp per night under the old contract. The Beacon Electric Company supplies the three northern wards of the city, formerly known as the village of Lansingburgh. The contract is for a period of five years.

The Lockport Gas and Electric Light Company announced June 18th that from June 1st a reduction of 25 per cent. from the rate in force would be given on all current sold by meter providing monthly bills are paid by the 15th of the following month. Rates heretofore have been as follows:

For electric lighting	1st 50 kilowatts.....	10 cents.
	next 50 kilowatts.....	9 cents.
	next 100 kilowatts.....	8 cents.
	next 200 kilowatts.....	7 cents.
	over 400 kilowatts.....	6 cents.

Rates for electric power, service charge of \$1 per kilowatt for average of month, or 75 cents per horse-power and from .64 cents to 2 cents per kilowatt additional charge by meter, dependent on number of kilowatt-hours used, or about \$22.63 per horse-power per annum.

The Rochester Railway and Light Company adopted a new schedule for electric lighting in residences June 1, 1906, to such customers as executed and returned contracts therefor, under the new rate, on or before June 15th. The price of residence lighting was reduced from 14 cents per kilowatt-hour to 10 cents, with a discount of 10 per cent. if paid on or before the 12th day of the month following, with a minimum charge as follows:

For 15 16-candle-power lamps or less.....	\$1.00
Over 50 and not exceeding 100 lights.....	2.00
100 lights and over	3.00

A new contract for public arc lighting was entered into February 5, 1906, between the city of Albany and the Municipal Gas

Company for a period of five years, beginning June 21, at 27 cents per day, or \$98.55 per year, including repairs, cleaning and replacing broken globes. Under the old contract the city did the repairing, cleaning, etc. To the old price of \$116.80 per year \$5 was added for repairs and 90 cents for broken globes, making the net cost \$122.70 per lamp, as against \$98.55 under the new rate. New lights were formerly installed for \$153.80, including the cost of the new lamp, the post and the lighting for one year, the cost under the new rate being \$135.55.

The city of Lockport has entered into a new contract with the Lockport Gas and Electric Light Company to supply arc lights at \$55 per lamp for an arc light of 1,200 nominal candle-power, burning 4,000 hours approximately, to go into effect September 8, 1906.

Beginning January 1, 1907, the Herkimer County Light and Power Company is to furnish to the city of Little Falls series, alternating, enclosed arc lamps of $7\frac{1}{2}$ amperes or 540. watts at the lamp at \$35 for all night service under a five year contract.

The Cortland County Traction Company has recently made a five year contract with the city of Cortland for 110 arc lights for 24 cents per light on an all night schedule, to go into effect January 1, 1907. The old schedule was moonlight 1 a. m., running about 20 nights a month, for which the company received $28\frac{1}{2}$ cents per night per light.

The maximum rate to private consumers was reduced October 1st from 12 to 11 cents per kilowatt.

The Rockland Light and Power Company, April 1, 1906, reduced the price of street arcs in Nyack from \$105 to \$88 per year in consideration of the increased expenditure for lighting per mile of street circuit.

The Nassau Light and Power Company, supplying Roslyn, Oyster Bay and various towns and villages in Nassau county, reduced the price of 20 cents to summer customers to 15 cents with deposit for one month's light bill.

The Cohoes Gas Light Company June 1st reduced the price of power to consumers having accounts of over \$20 per month by

increasing the rate of discount from 50 per cent. to $66\frac{2}{3}$ per cent. on the regular charge of 15 cents per kilowatt.

From March 1, 1906, the Suffolk Gas and Electric Light Company of Bay Shore established a discount of 10 per cent. from its regular rate of 20 cents per kilowatt for cash if paid within ten days.

The Troy Gas Company reduced its maximum rate June 1, 1906, from 16 cents to 15 cents per kilowatt.

The Utica Gas and Electric Company on October 5, 1906, extended the existing contract for lighting the streets of Utica with arc lights for five years from January 1, 1907, at \$56 per arc lamp as against \$109.50, the price stipulated in the present contract. The company further stipulated that if at any time during the extension of the contract the stipulated rate was reduced by the Commission that the company would abide by it. This action was taken pursuant to the recommendations of an exhaustive report made by members of the common council, reciting the action of the Commission in the Syracuse Lighting Company case, and giving the result of investigations at Syracuse, Rochester, Buffalo and Niagara Falls. Estimated saving for full term of contract, \$206,242.50.

The Saranac Lake Light, Heat and Power Company, June 1, 1906, made a new rate of 15 cents per kilowatt-hour for an equivalent of 50 hours burning per month for each lamp installed, with 6 cents per kilowatt-hour for the excess. The former rate was 15 cents for an equivalent of 70 hours and 6 cents for the excess.

The Montgomery Electric Light and Power Company, lighting the villages of Canajoharie and Palatine, reduced the price of electric current to small consumers from 12 cents to 10 cents per kilowatt-hour, September 1, 1906.

The Ellenville Electric Light Company reduced its rate April 1, 1906, from $17\frac{1}{2}$ cents per kilowatt-hour to 15 cents, with a rate to factories of 9 cents per kilowatt-hour. All bills over \$5 are entitled to a discount as follows: \$5, 5 per cent.; \$10, 10 per cent., etc.

The Rochester Railway and Light Company entered into a new contract, September 15, 1906, for five years for the care, maintenance and lighting of the city's electric street lamps from July 1, 1907, to July 1, 1912. Under the prior contract the price per night for 2,712 single arc lamps was $21\frac{1}{2}$ cents or about \$78.50 per year. There were also in use 495 lights hung in pairs for which the company was receiving $18\frac{1}{4}$ cents each per night, or \$66.61 per year, making the total number of arc lights paid for by the city, 3,209. It was estimated that the average number of lamps of the different classes for the five-year period would be as follows:

Underground circuit in pairs on iron poles	500
Underground circuit single lamps on iron poles.....	500
Overhead circuit single lamps.....	2600

200 32-candle-power incandescents were provided for in the new contract as against none in the old. The prices submitted by the company were as follows:

Arc lamps connected with underground circuit located singly	\$68.00
Arc lamps connected with underground circuit located in pairs	62.96
Arc lamps connected with overhead wires.....	57.95

This amounted to a saving of \$60,505 per year, or \$302,525 for the five-year period.

The city of Oneida has made a new contract with the Empire State Power Company for public arc lighting at \$37.50 per arc light. Under the old contract with the Madison County Gas and Electric Company the price was \$66 for one o'clock service. The new service is for all night to begin January 1, 1907.

The Tonawanda Power Company, lighting Tonawanda and North Tonawanda, reduced the price for commercial lighting December 1, 1905, as follows:

From, resident incandescent lighting 15 cents per kilowatt with 20 per cent. discount, and 12 cents per kilowatt for commercial incandescent lighting, discount 10 per cent.

To, 10 cents per kilowatt for resident and commercial incandescent lighting, with discount of 10 per cent.

Or, a sliding scale at the option of the customer of 12 cents to 6 cents per kilowatt with 10 per cent. discount.

The Oneonta Light and Power Company will January 1, 1907, reduce the price of electricity from 15 to 10 cents per kilowatt, minimum charge \$1.00 per month.

The East Creek Electric Light and Power Company, supplying electric light for the village of St. Johnsville, reduced the price of electric current for lighting August 1, 1906, from 10 cents to 8 cents per kilowatt-hour.

Keeseville Electric Company November 1, 1905, reduced the price of electric current to customers consuming more than 50,000 watts per month to one-half the base rate of $12\frac{1}{2}$ and 10 cents per kilowatt.

The Chatham Electric Light, Heat and Power Company entered into a new contract with the village of Chatham, which went into effect February 1, 1906, by which one 4.25 ampere arc lamp at \$70 and six 6 ampere lamps at \$85 each, replaced one 3 ampere lamp at \$54 and six 4.25 ampere lamps at \$75 each. 115 25 candle-power incandescents under the new contract were furnished at \$1.30 per month instead of \$1.08 $\frac{1}{2}$; 16 16-candle-power lights for village purposes were furnished free.

About December 30, 1905, the Rome Gas, Electric Light and Power Company reduced the price of power from a sliding rate with a maximum of 8 cents per kilowatt-hour and minimum of $3\frac{1}{2}$ cents, to the following:

0 to	400 h. p. hours.....	.0596	per h. p. hour.
400 to	420 h. p. hours.....	.0586	per h. p. hour.
420 to	440 h. p. hours.....	.0575	per h. p. hour.
1,000 to	2,000 h. p. hours.....	.02565	per h. p. hour.
2,000 to	3,000 h. p. hours.....	.024125	per h. p. hour.
3,000 to	4,000 h. p. hours.....	.0225	per h. p. hour.
17,000 to	18,000 h. p. hours.....	.013125	per h. p. hour.
18,000 to	19,000 h. p. hours.....	.013125	per h. p. hour.
19,000 to	20,000 h. p. hours.....	.0125	per h. p. hour.
With a discount of 5 per cent. if paid before the 10th of the month.			

A new contract for the lighting of Ballston Spa by the Ballston Spa Light and Power Company went into effect December 1, 1906. 218 25-candle-power incandescent lamps are furnished at

\$15 from one-half hour after sunset to one hour before sunrise. Under the old contract the rate was as follows: For 54 lamps from one-half hour after sunset until one hour before sunrise, \$22 per annum, and 164 lamps until 3 a. m., \$18 per annum.

The Yonkers Electric Light and Power Company January 1, 1906, reduced the price of city lighting to the municipal buildings of the city of Yonkers from 15 cents per kilowatt-hour for the first two hours average daily use of the total connected capacity, 10 cents for the 3rd and 4th hours and 5 cents for excess average daily use, to the flat rate of 10 cents per kilowatt-hour. This rate was not applicable, however, to commercial lighting.

The Montgomery Electric Light and Power Company renewed a contract which expires April 15, 1907, for street arc lighting in Canajoharie at \$66.67 per annum per arc lamp, for five years from that date at \$50 per arc lamp.

The Edison Electric Light and Power Company of Amsterdam reduced the price of commercial lighting April 20, 1906, from a sliding scale for lighting varying from 12 cents per kilowatt-hour to 6 cents per kilowatt-hour according to consumption, to a rate of 5 cents per kilowatt-hour less 10 per cent discount, with a rate of 3½ cents per kilowatt-hour for large installations consuming in excess of 1000 kilowatts per month. The city of Amsterdam has entered into a new contract with the Edison Electric Light and Power Company for lighting the public streets at the rate of \$39.50 per lamp per year where the lamp is served from aerial lines, and \$51.00 per lamp per year where the lamp is served by the underground system. Under the former contract the rate was \$68.99 per lamp per year for 2000-candle-power lamps on an all night schedule.

Beginning with January, 1906, the Malone Light and Power Company reduced the rate of 12 cents per kilowatt-hour for bills of less than 25 kilowatt-hours per month, to 10 cents, the rate previously charged on a monthly consumption exceeding that amount, and the meter rent of 20 cents per month on bills of less than \$3 was also abolished.

The Kingston Gas and Electric Company January 1, 1906, reduced the rate for metered power service from 8 cents per kilo-

watt with a discount of 10 to 25 per cent., to 7 cents per kilowatt-hour on a consumption not exceeding 50 kilowatt-hours per month and from

50 to 200 k. w. hours per month... 5.6 cents per k. w. hour.
 200 to 1000 k. w. hours per month... 4.9 cents per k. w. hour.
 1000 to 2000 k. w. hours per month... 4.2 cents per k. w. hour.
 2000 k. w. hours upward per month... 3.5 cents per k. w. hour.
 with a discount of 10 per cent. on all bills exceeding 50 kilowatt-hours per month.

The Northern Westchester Lighting Company after February 1, 1906, allowed to customers in Ossining and Croton discounts of 10 to 20 per cent. as follows:

10 per cent. on bills under \$10.
 15 per cent. on bills under \$15.
 20 per cent. on bills over \$15.

Prior to that time no discount had been allowed on the rate of 20 cents per kilowatt-hour.

Geneseo Gas Light Company reduced the rate July 1, 1906, from 1 cent per ampere-hour (equivalent to 20 cents per kilowatt-hour) to 12 cents per kilowatt-hour for incandescent lighting.

Beginning January 1, 1907, the Schenectady Illuminating Company established the following rates:

1st	25 kilowatt-hours	12 cents.
Next	50 kilowatt-hours	10 cents.
Next	100 kilowatt-hours	8 cents.
The balance at		7 cents.

with a cash discount of 16½ per cent.

A new power rate was also established, namely: a sliding scale from 7 cents to 3½ cents per kilowatt-hour, depending upon consumption per horse power of installation. A cash discount of 10 per cent. is also allowed.

The minimum charges on lighting installations will remain as heretofore. The minimum charges under the power rate will be \$1.00 per month each, installations of 1 and 2 horse-power capacity, on installations above 2 horse-power the minimum charge will be 50 cents per horse power per month.

The former rates were 15 cents per kilowatt-hour with cash discounts of 10 to 50 per cent., according to consumption, and a special rate of 10 cents per kilowatt-hour with discounts of 10 to 50 per cent. on a contract of guaranteed consumption.

The United Gas, Electric Light and Fuel Company reduced the price of electric lighting in Sandy Hill, So. Glens Falls and Fort Edward Sept. 12, 1905, to 10 cents per kilowatt with 10 per cent. discount, for business places. The former price was 10 cents with 5 per cent. discount, and for residences, 12 cents with 5 per cent. discount. The price of street arc lighting in Sandy Hill was reduced June 6, 1905, from \$80 to \$50 and Sept. 5, 1905, in So. Glens Falls a like reduction was made.

ACCIDENTS—GAS.
FATAL.

Date.	NAME.	Employe or non-employe.	Age.	Place of Accident.	Remarks.
1905 Dec. 18	Mr. Thomsen.....	Non-employe....	.....	201½ 34th street, Brooklyn.....	Asphyxiated (claimed no record).
1906 Jan. 2	B. G. Freyer.....	Non-employe....	.....	143 Albany avenue, Brooklyn.....	Asphyxiated (supposed to be accidental. Key to fixture loose and no burner).
Feb. 5	Mrs. Connell.....	Non-employe....	.....	65 South 6th street, Brooklyn.....	Asphyxiated (claimed) by escaping gas.
Feb. 28	James Hunter.....	Employe.....	.....	Williamsburg.....	Found insensible at 10 A. M. Company claims death due to natural causes.
May 11	Earnie Oppenheimer...	Non-employe....	.....	83 Russell street, Rochester.....	While in a room which contained a vulcan No. 9 water heater which was lighted, in which she remained about 15 minutes, it is claimed, was poisoned by carbon monoxide gas arising from incomplete combustion.
June 7	Patrick O'Malley.....	Employe.....	50	Washington avenue and Bergen st., Brooklyn.....	While at work in tunnel asphyxiated.
June 9	James Kenney.....	Non-employe....	22	Cor. Broadway and Halsey street, Brooklyn.....	Employee of N. Y. & N. J. Telephone Co. found dead in manhole of that company at about 4 P. M. while performing his duties as conduit lineman.
Sept. 6	George A. Davis.....	Non-employe....	18	Oriental Hotel, Middletown.....	Asphyxiated by gas in bed room. Retired to room at hotel and found dead next morning. No evidence to show whether case was accidental or suicidal. Accidental death verdict of Coroner.
Nov. 15	Henry G. Wollpert.....	Employe.....	32	5505 5th avenue, Brooklyn.....	Overcome by gas while putting plug in gas pipe, falling from ladder, struck head on bath tub. Died a few hours later at hospital.

ACCIDENTS—ELECTRIC.
FATAL.

Date.	NAME.	Employe or non-employee.	Age.	Place of Accident.	Remarks.
1906.					
Feb. 28	R. J. Tremaine.....	Employee.....	38	Waterside Station, N. Y. City.....	Received shock while taking out fuse from a live potential transformer. Died subsequently.
Mar. 15	William J. Ryan.....	Employee.....	25	Cor. Sandusky and Kentucky streets, Buffalo.....	While connecting live wire to another wire without gloves received shock and fell from pole. Wires grounded on gas pipe in cellar caused arcing, igniting gas. After shutting off gas deceased attempted to pull wires away from gas pipe, taking hold of wires with bare hands where insulation was burned off.
Mar. 27	Nicholas Pirong.....	Non-employee.....		1001 Willis avenue, Syracuse.....	
May 7	Charles May.....	Employee.....	25	Avenue D and Ocean Parkway, Brook- lyn.....	Electric shock from touching wire.
May 17	Daniel Loughlin.....	Non-employee....	21	Avenue N, Brooklyn.....	Telephone lineman while stringing wires caught spur from his climbers in insulation of high tension wires and punctured it. Entire current passed through his body.
May 19	Wm. H. Trenham, Jr....	Employee.....	28	Washington street, Utica.....	While constructing iron railing, disconnected a part and brought same in contact with ground connections on the lightning arresters, causing shock.
May 26	George Reid.....	Non-employee....	35	N. Y. C. Station, Buffalo.....	While painting on ladder which rested against trans- former had a paint bucket hanging on one primary wire, apparently steadied himself on primary wire with his hand, and while painting with other hand came in contact with other primary wire, in fall- ing, struck head against ventilator.
May 27	Paul Felitan.....	Non-employee....	10	North Salina street, Syracuse.....	While climbing telephone pole erected between pri- mary lines to prevent contact with which the Telephone Co. had placed a bracket and glass on telephone pole; insulation was off wire at this point and deceased caught hold, it is supposed, of the primary wire. The pole of Telephone Co. was stepped to within 2 feet of ground.
June 22	Harry Wright.....	Non-employee....		Fayetteville, N. Y.....	Employee of telephone company assisting in placing a guy wire for that company took hold of wire which had become twisted about 6 feet from ground and received fatal shock.

June 27	Joseph Rokus.....	Non-employee....	20	Nassau Railway Station, L. I. R. R.	Deceased, an employee of W. U. Tel. Co. was engaged in trimming limbs of trees; his head touched lower power wire. After short contact he fell to ground. Death caused by ground shock or resulting fall.
July 7	Leonard G. Boquet....	Non-employee....	20	Bassett street, Syracuse.....	While assisting lineman in employ of telephone company, Boquet ascended a pole and caught hold of an electric lighting wire, which was suspended in the air near the telephone pole.
July 13	Samuel Arjfer.....	Employee.....	26	Amsterdam avenue, N. Y. City.....	While joining electric power cable, forearm came in contact with live conductor in cable, burning forearm and causing fatal shock.
Sept. 20	Francis J. Loughnot...	Employee.....	22	Park street, Syracuse.....	Received shock while trimming mast-arm lamp, standing on wet ground. Circuit was crossed with primary line. Supposed deceased omitted to put on rubber gloves.
Sept. 24	James Rogers.....	Non-employee....	21	Moore-Shaffer Shoe Factory, Brockport.....	While engaged in painting building, was lowered on a painter's sling. Stepped from sling to platform, on which were transformers and usual wires attached to pole, receiving fatal shock.
Oct. 6	Fred J. Kocher.....	Non-employee....		431 South West street, Syracuse.....	Received shock while using a lamp on long cord. Held lamp in hand and stepped on cord.
Oct. 11	Joseph Kerber.....	Non-employee....		Buffalo Forge Co.....	Cause of death uncertain. Supposed that motor on opposite side of wall from where he was working became charged and that bolt that supported motor also became charged, and in some way he came in contact with it, or with an iron bar charged from it.
Oct. 11	Antonio Pabana.....	Non-employee....	23	Front of Police Station, W. Seneca....	Came in contact with Bell Telephone wire which was broken and hung over A. C. primary wire of lighting company.
Nov. 19	Frank J. Gough.....	Employee.....	26	Transformer House A—Union Carbide Co., Niagara Falls.....	While standing on a portable platform tightening a screw in a porcelain knob insulator, accidentally the platform tipped and to save himself from falling put his hands across the 2,200 volt terminals in rear of potential transformer, causing death.
Dec. 26	Harlow Catlin.....	Employee.....	27	Terminal House B, Niagara and Front avenue, Buffalo, N. Y.....	While helping to connect some disconnecting switches, in some way came in contact with switch-carrying current.

ACCIDENTS—ELECTRIC.
NON-FATAL.

Date.	NAME.	Employe or non-employe.	Age.	Place of Accident.	Remarks.
1905. Dec. 28	Edward Lavin.....	Non-employe....	Boy..	Brighton Feed Co., Ocean Boulevard and Sheephead Bay road, Brook- lyn, N. Y.....	Burns and injury to hand, with partial amputation. Installation claimed to be defective.
1906. Jan. 5	Aaron Wands.....	Employe.....	30	62 Ohio street, Buffalo, N. Y.....	Burned on hand and face while opening switches on feeders without previously opening circuit-breaker Shocked by 240-volt circuit while testing meter.
Jan. 9	T. M. Morton.....	Employe.....	21	35 E. 21st street, N. Y. City.....	Contact with live pull-up cable when leaning against pole.
Feb. 12	Theresa Merkel.....	Non-employe....	19	Cor. North and Sherman streets, Buf- falo, N. Y.....	Contact with live pull-up cable when leaning against pole.
Feb. 12	John Kelker.....	Non-employe....	15	Cor. North and Sherman streets, Buf- falo.	Contact with live pull-up cable when leaning against pole.
Feb. 13	Louis Burgin.....	Employe.....	29	2 E. 64th street, N. Y. City.....	Working near switchboard, tool slipped, making short circuit and burning wrist.
Feb. 19	Patrick Dineen.....	Employe.....	35	Broadway and Cortlandt street, New York City.....	Eyes weakened by flash from grounded cable. Fell from supports at top of switchboard against live transformer terminal; also left ankle sprained.
Feb. 23	Walter John Donne.....	Employe.....	21	Pearl street, Brooklyn, N. Y.....	While climbing pole, received shock and fell 25 feet to sidewalk. Burned on hands.
Mar. 4	Thomas Dolan.....	Employe.....	40	551 Leonard street, Brooklyn, N. Y.....	Burned on forearm and face by short circuit while installing end box on tube service.
Mar. 17	Edmond Briggs.....	Employe.....	28	169 Spring street, N. Y. City.....	Slipped on floor, falling against switchboard, mak- ing a short circuit in main bus switch.
April 17	J. P. Muller.....	Employe.....	22	55 Duane street, N. Y. City.....	While entering manhole to make a splice, the ends of live cable grounded.
April 20	Harry Leff.....	Employe.....	21	Broome and Eldridge streets, New York City.....	Shocked by coming in contact with supposedly dead wire near where employees of company were tal- ling down insulated copper wire.
May 8	Michael Francis Kelly..	Non-employe....	40	Alley between Market and Erie ave- nues, near Pearl st., Corning, N. Y.	While working as a telephone lineman on a pole be- longing to telephone company a cable he was con- necting into a terminal box came in contact with live wire, and in trying to keep from falling he caught hold of another wire. Finger badly burned and right shoulder dislocated.
May 21	Charles Pierson.....	Non-employe....	25	Division street, Syracuse.....	

May 23	Martha Trzebinska.....	Non-employee....	6	Broadway, Buffalo, N. Y.....	Severe burns and shock supposed to have been caused from primary wire down across Broadway, the north end hanging about 10 feet from pole and south end was found wound around pole on adjoining street.
May 28	Nestor Cheney.....	Non-employee....	23	Cor. James and John streets, Rome...	Telephone lineman working on poles used jointly by his company and the lighting company touched a 2,000 volt wire.
June 8	Joseph McKeown.....	Non-employee....	20	Buffalo, N. Y.....	Police reported wire down at Perry and Van Rensselaer streets, 10:10 P. M. Lineman sent to investigate found telephone company's wire down and wound around tree. McKeown's injuries were a cut on his head and thumb and finger burned.
June 9	James W. Chenoweth..	Employee.....	23	Cor. Cedar and Garden streets, Mount Vernon, N. Y.....	Touched live wire with arm and was slightly burned. Burned on face and neck by short circuit, caused by slipping of a clamp across the bus bars of negative and positive cells.
June 13	Thomas Malone.....	Employee.....	21	124th street, New York city.....	Burns on hands and wrists and bruises caused by fall. While cleaning transformers, placed hand on a live terminal.
June 15	E. W. Martin.....	Employee.....	23	Terminal House, Buffalo.....	While standing on viaduct reached out and touched wires and received burns on hands, breast and legs
June 29	Frank Loomis.....	Non-employee....	45	Exchange street, Buffalo.....	While testing for ground on alternating circuit, was replacing top he had cut. In reaching, his breast came in contact with one pole and arm on the and he received two slight burns.
July 1	William Robinson.....	Employee.....	21	Perry street, Buffalo.....	Hand badly burned from catching hold of electric wire which was claimed to be hanging near ground.
July 1	Kruman or Eaton....	Non-employee....	12	Center street, Syracuse.....	While using water in cleaning around live connections, a short circuit on working bus bars was caused, burning both forearms.
July 10	Frank Wandel.....	Employee.....	26	Transformer station, Buffalo.....	While working on conductor of an arc circuit on which was no current and which was grounded, accidentally touched buckle on arm to charged conductor of 2,200 volts, primary circuit, burning hand and elbow.
July 13	A. A. Tyson.....	Employee.....	24	Eleventh street, Buffalo, N. Y.....	While melting compound from tube joint to disconnect old service, the service joints short circuited and burned him on hands and face.
July 16	Samuel Hoffman.....	Employee.....	27	Fifth avenue, New York city.....	While walking with parent, placed his hand inside the door in the base of an iron arc lamp pole and received shock, burning his hand.
July 25	Winter.....	Non-employee....	5	Cor. Willow and Salina streets, Syracuse, N. Y.....	While trimming street lamp standing on ground, without rubber gloves, line crossed primary line and current burned left hand.
July 31	William Spray.....	Employee.....	33	De Witt street, Syracuse, N. Y.....	

ACCIDENTS—ELECTRIC.
NON-FATAL.—(Concluded).

Date.	NAME.	Employe or non-employe.	Age.	Place of Accident.	Remarks.
Aug. 3	Charles A. Hammel....	Employee.....	27	Station No. 4, Buffalo.....	While painting in basement arm came in contact with live terminal causing burns on right elbow and pain of left hand.
Aug. 9	Frank Sammons.....	Employee.....	45	Switchboard at plant, Syracuse, N. Y.	While plugging in arc circuit, cord broke off at plug causing an arc; burning the palm of his left hand.
Aug. 10	Albert Schill.....	Employee.....	15	Terminal house, Buffalo.....	Working as helper erecting new bank of transformers. While examining connections at a working oil switch, his left hand came in contact with live terminal causing burns on hand and foot.
Aug. 21	C. H. Brewer.....	Employee.....	23	Staats street, Buffalo, N. Y.....	Arm and fingers burned by current while cleaning transformer.
Sept. 18	W. E. McCarthy.....	Employee.....	28	Fayette Park, Syracuse.....	While trimming mast arm lamp, current came on and burned right hand.
Sept. 21	Burt D. Timmerman....	Employee.....	35	Medina, N. Y.....	In shutting down arc machine received shock, burning finger and arm.
Oct. 20	John Curry.....	Non-employee....	6	Michigan street, Buffalo, N. Y.....	Right hand burned by touching Bell telephone wire crossing primary wire and swinging against pole and guy wire.
Oct. 20	Edward Coogan.....	Non-employee....	22	143 Oak street, Syracuse, N. Y.....	In attempting to turn on light took hold of socket instead of switch and received shock which rendered him unconscious; also fingers of right hand slightly scorched.
Oct. 26	George E. Groess.....	Non-employee....	.....	Cor. Tupper and Washington streets, Buffalo, N. Y.....	Claimed to have come in contact with broken telephone wire across arc circuit, burning thumb, first, second and third fingers slightly on tips.
Dec. 3	Edward Grace.....	Employee.....	35	Broadway and 21st street, New York city.....	While making up joint on live cable, injured man caused short circuit, burning left hand.
Dec. 7	Irving Larnier.....	Employee.....	24	Horation street station, Borough of Manhattan, N. Y.....	Working on switchboard, wrench slipped, making short circuit.
Dec. 10	H. Jose.....	Employee.....	25	519 W. 146th street, New York city...	Received shock while screwing incandescent lamp into socket; finger came in contact with screw base of lamp and floor was damp from new concrete, making ground.

ACCIDENTS—GAS.
NON-FATAL.

Date.	NAME.	Employee or non-employee.	Age.	Place of Accident.	Remarks.
1905.					
Dec. 29	John Lundy.....	Employee.....	28	331 Dean street, Brooklyn.....	Overcome by gas in trench.
1906.					
Jan. 12	T. Meagher.....	Employee.....		110 Nassau avenue, Brooklyn.....	Overcome by gas while stopping leak.
Jan. 12	H. Dodson, wife and son.....	Non-employee.....		110 Nassau avenue, Brooklyn.....	Illness of self, wife and son claimed due to escaping gas.
Feb. 17	Frank Keeler.....	Employee.....	39	611 3d avenue, New York city.....	While trying to put a fitting on ceiling drop and using a light, dead gas ignited, singeing eyebrows and hands.
Feb. 20	Earl Langmade.....	Employee.....	26	N. Y. C. depot, Buffalo.....	Removed hose from valve with full pressure on; gas ignited from safety lamp, burning wrist; valve stem was found to be broken.
Mar. 5	Mrs. Dr. Millington.....	Non-employee.....		356 9th street, Brooklyn.....	Explosion of gas cooker.
Mar. 11	Harry Lawless.....	Non-employee.....		3d avenue and Bergen st., Brooklyn.....	Overcome by gas while excavating for leak.
Mar. 26	Maud Waldron.....	Non-employee.....	20	Bell Telephone Co.'s office, LeRoy N. Y.....	Partially asphyxiated and mouth and lip cut from fall.
Mar. 29	A. Abramhamson.....	Non-employee.....		House, Eastern Parkway, 50 feet east of Saratoga avenue, Brooklyn.....	Injury to hand from fall of plaster caused by gas explosion.
Mar. 30	Nicholas Keegan.....	Employee.....	32	214 East 3d street, New York city.....	Went into cellar to locate leak. Did not smell gas and lighted torch, which ignited escaping gas.
Mar. 30	Patrick J. Grandon.....	Employee.....	28	1512 Lexington avenue, New York city.....	In trying to locate escaping gas, was burned by explosion, caused by fitter's torch.
April 10	John A. Niles and wife, Mrs. Martha Niles.....	Non-employees.....	72	1028 Jefferson avenue, Brooklyn.....	Found unconscious from escaping gas at 11 A. M. Accidentally turned on gas in heater.
April 23	Mrs. Kelman.....	Non-employee.....		238 Powell street, Brooklyn.....	Claims to have been made ill by escaping gas.
April 23	M. Rully & M. Thompson, son.....	Non-employees.....		394 Sumner avenue, Brooklyn.....	Mr. Thompson claims to have been made sick by escaping gas of leaking stove; and Mr. Rully was found lying on car tracks and alleged to be overcome by gas.
May 7	Charles Tunis.....	Employee.....	46	52 Pacific street, Brooklyn.....	While altering pre-payment meter to new rate and testing for leak, was injured by explosion, receiving burns on face, head and arms.

ACCIDENTS—GAS.
NON-FATAL—(Continued).

Date.	NAME.	Employe or non-employe.	Age.	Place of Accident.	Remarks.
1906. May 19	Mrs. Hannah Littman and four children.	Non-employees. . . . .	.....	203 Covert street, Brooklyn.	Partial asphyxiation. Inlet cone of meter broken. This was a new meter placed that same day in place of one found broken in same way. Manner in which cone was broken unexplained.
May 25	Mrs. Nellie Wise.	Non-employe. . . . .	.....	46th street, Brooklyn.	Overcome by gas escaping from a leak at the meter cock, while working in cellar.
June 4	John Grady.	Employee.	34	Opp. 539 E. 13th street, New York.	While assisting to connect gas service to main the gas suddenly caught fire, burning his right arm slightly.
June 4	Francis Donohue.	Employee.	22	Opposite 539 E. 13th st., New York.	Was connecting service to gas main and after having elbow made up, used fire to test it; after proving it gas tight, removed gas plug from elbow when flame shot up to his face.
June 5	Mrs. Goldberg and Mrs. Kemp.	Non-employees. . . . .	.....	North 4th street, Brooklyn.	Gas escaping from unkempt 3/4 inch opening in hall riser. Leak was indicated and meter turned off and plumber called. Plumber turned on meter while looking for leak and Mrs. Goldberg, tenant, called handbell. Kemp to investigate. He struck a match and explosion followed, burning both. Parties claim in trying to extinguish a flame at drip of service pipe the cap of drip fell off, and both were badly burned.
June 15	Patsy & Arthur Nezzo.	Employees. . . . .	.....	Williamsburg.	
June 22	Joe Valukrizitz and A. Greenside.	Non-employees. . . . .	.....	450 Keap street, Brooklyn.	While a header was being extended and meter set and a test was being made of the service pipe, gas on the floor above became ignited and caused explosion, burning the persons injured. Gas escaped on floor above.
June 25	M. Keegan.	Employee.	29	211 N. Railroad ave., Mount Vernon.	While trying to repair broken service, was overcome by gas.
June 29	Anna Sobrofsky (also Geo. and William minors).	Non-employees. . . . .	.....	Bedford avenue, Brooklyn.	Mrs. Sobrofsky entered room where gas was escaping, with a lamp or candle, causing explosion, in which all three sustained burns.
Aug. 9	H. Joseph Lovett.	Employee.	25	255 West 68th street, New York city.	Stepped into closet with lighted torch to find leak, and while there, the door shut, causing dead gas to come down from ceiling, which ignited from torch, burning his face and hands.

Sept. 11	Frank D. Anache	Employee	455 Fulton street, Brooklyn	Face, neck and arms burned from explosion, while repairing leak in service pipe, caused by striking a light.
Sept. 12	Thomas Burke	Employee	5623 6th avenue, Brooklyn	Right hand slightly scorched while setting meter caused by leaving a lighted candle too near service pipe, igniting gas.
Sept. 12	Michael Tyrell	Employee	1483 St. Mark's avenue, Brooklyn	Overcome by gas while setting gas meter.
Oct. 14	Frank Berian	Employee	White Plains	Overcome by gas.
Nov. 15	Thomas James	Employee	5505 5th avenue, Brooklyn	Overcome by gas while setting meter.
Dec. 4	Henry Kemp	Employee	197 St. James Place, Brooklyn	Received burns on forearm from explosion of gas meter while soldering it.
Dec. 12	Two unknown employees of Telephone Co.	Non-employees	Front of 527 and 531 Fulton street, Brooklyn	Slightly overcome by fumes of gas while at work in manhole of telephone company.
Dec. 29	Mrs. S. J. Marryatt	Non-employees	398 Butler street, Brooklyn	Claimed to have been made sick by gas leaking in cellar.

This report, with the record of the proceedings of the Commission for the year ending December 31, 1906, is herewith respectfully submitted.

FREDERIC E. GUNNISON,
JOHN C. DAVIES,
LUCIAN L. SHEDDEN.
Commissioners.

APPENDICES.

- APPENDIX "A." The Commission Act.
- APPENDIX "B." Rules of Practice of the Commission.
- APPENDIX "C." Stated meetings of the Commission.
- APPENDIX "D." Abstracts of reports of corporations, municipalities and persons.
- APPENDIX "E." Tabulation of reports of corporations, municipalities and persons.
- APPENDIX "F." Report of State Inspector of Gas Meters.
- APPENDIX "G." Inspections of gas.
- APPENDIX "H." Opinions of Attorney-General.
- APPENDIX "I." Court decisions.
- APPENDIX "J." The Burton Act. A Federal act for the control and regulation of the waters of Niagara river.
- APPENDIX "K." Allotment of the Secretary of War under the Burton Act.
- APPENDIX "L." Statutes.
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ACCIDENTS—GAS.
NON-FATAL.

Date.	NAME.	Employee or non-employee.	Age.	Place of Accident.	Remarks.
1905.					
Dec. 29 1906	John Lundy.	Employee.	28	331 Dean street, Brooklyn.	Overcome by gas in trench.
Jan. 12	T. Meagher.	Employee.		110 Nassau avenue, Brooklyn.	Overcome by gas while stopping leak.
Jan. 12	H. Dodson, wife and son.	Non-employee.		110 Nassau avenue, Brooklyn.	Illness of self, wife and son claimed due to escaping gas.
Feb. 17	Frank Keeler.	Employee.	39	611 3d avenue, New York city.	While trying to put a fitting on ceiling drop and using a light, dead gas ignited, singeing eyebrows and lashes.
Feb. 20	Earl Langmade.	Employee.	26	N. Y. C. depot, Buffalo.	Removed hose from valve with full pressure on; gas ignited from safety lamp; burning wrist; valve stem was found to be broken.
Mar. 5	Mrs. Dr. Millington.	Non-employee.		356 9th street, Brooklyn.	Explosion of gas cooker.
Mar. 11	Harry Lawless.	Non-employee.		3d avenue and Bergen st., Brooklyn.	Overcome by gas while excavating for leak.
Mar. 26	Maud Waldron.	Non-employee.	20	Bell Telephone Co.'s office, New York.	Partially asphyxiated and mouth and lip cut from fall.
Mar. 29	A. Abrahamson.	Non-employee.		House, Eastern Parkway, 50 feet east of Saratoga avenue, Brooklyn.	Injury to hand from fall of plaster caused by gas explosion.
Mar. 30	Nicholas Keegan.	Employee.	32	214 East 3d street, New York city.	Went into cellar to locate leak. Did not smell gas and lighted torch, which ignited escaping gas.
Mar. 30	Patrick J. Grandon.	Employee.	28	1512 Lexington avenue, New York city.	In trying to locate escaping gas, was burned by explosion, caused by fitter's torch.
April 10	John A. Niles and wife, Mrs. Martha Niles.	Non-employees.	72	1028 Jefferson avenue, Brooklyn.	Found unconscious from escaping gas at 11 A. M.
April 23	Mrs. Kelman.	Non-employee.		238 Powell street, Brooklyn.	Accidentally turned on gas in heater.
April 23	M. Reilly & M. Thompson.	Non-employees.		394 Sumner avenue, Brooklyn.	Claims to have been made ill by escaping gas.
May 7	Charles Tunis.	Employee.	46	52 Pacific street, Brooklyn.	Mr. Thompson claims to have been made sick by escaping gas of leaking stove; and Mr. Reilly was found lying on car tracks and alleged to be overcome by gas. While altering pre-payment meter to new rate and testing for leak, was injured by explosion, receiving burns on face, head and arms.

ACCIDENTS—GAS.
Non-Fatal—(Continued).

Date.	NAME.	Employe or non-employe.	Age.	Place of Accident.	Remarks.
1903. May 19	Mrs. Hannah Littman and four children.....	Non-employees.....	.....	203 Covert street, Brooklyn.....	Partial asphyxiation. Inlet cone of meter broken. This was a new meter placed that same day in place of one found broken in same way. Manner in which cone was broken unexplained.
May 25	Mrs. Nellie Wise.....	Non-employe.....	.....	46th street, Brooklyn.....	Overcome by gas escaping from a leak at the meter cock, while working in cellar.
June 4	John Grady.....	Employee.....	34	Opp. 539 E. 13th street, New York...	While assisting to connect gas service to main the gas suddenly caught fire, burning his right arm slightly.
June 4	Francis Donohue.....	Employee.....	22	Opposite 539 E. 13th st., New York...	Was connecting service to gas main and after having elbow made up, used fire to test it; after proving it gas tight, removed gas plug from elbow when flame shot up to his face.
June 5	Mrs. Goldberg and Mrs. Kemp.....	Non-employees.....	.....	North 4th street, Brooklyn.....	Gas escaping from unkept 3 inch opening in hall riser. Leak was indicated and meter turned off and plumber called. Plumber turned on meter while looking for leak and Mrs. Goldberg, tenant, called landlord Kemp to investigate. He struck a match and explosion followed, burning both. Parties claim in trying to extinguish a flame at drip of service pipe the cap of drip fell off, and both were badly burned.
June 15	Patsy & Arthur Nezzo..	Employees.....	.....	Williamsburg.....	
June 22	Joe Valukrutz and A. Greenside.....	Non-employees.....	.....	450 Keap street, Brooklyn.....	While a header was being extended and meter set and a test was being made of the service pipe, gas on the floor above became ignited and caused explosion, burning the persons injured. Gas escaped on floor above.
June 25	M. Keegan.....	Employee.....	29	211 N. Railroad ave., Mount Vernon...	While trying to repair broken service, was overcome by gas.
June 29	Anna Sobrofsky (also Geo. and William, minors).....	Non-employees.....	.....	Bedford avenue, Brooklyn.....	Mrs. Sobrofsky entered room where gas was escaping, with a lamp or candle, causing explosion, in which all three sustained burns.
Aug. 9	H. Joseph Lovett.....	Employee.....	25	255 West 68th street, New York city.	Stepped into closet with lighted torch to find leak, and while there, the door shut, causing dead gas to come down from ceiling, which ignited from torch, burning his face and hands.

Sept. 11	Frank D. Anache	Employee	455 Fulton street, Brooklyn	Face, neck and arms burned from explosion, while repairing leak in service pipe, caused by striking a light.
Sept. 12	Thomas Burke	Employee	5623 6th avenue, Brooklyn	Right hand slightly scorched while setting meter caused by leaving a lighted candle too near service pipe, igniting gas.
Sept. 12	Michael Tyrell	Employee	1483 St. Mark's avenue, Brooklyn	Overcome by gas while setting gas meter.
Oct. 14	Frank Berlan	Employee	White Plains	Overcome by gas.
Nov. 15	Thomas James	Employee	5505 5th avenue, Brooklyn	Overcome by gas while setting meter.
Dec. 4	Henry Kemp	Employee	197 St. James Place, Brooklyn	Received burns on forearm from explosion of gas meter while soldering it.
Dec. 12	Two unknown employees of Telephone Co.	Non-employees	Front of 527 and 531 Fulton street, Brooklyn	Slightly overcome by fumes of gas while at work in manhole of telephone company.
Dec. 29	Mrs. S. J. Marryatt	Non-employee	398 Butler street, Brooklyn	Claimed to have been made sick by gas leaking in cellar.

with the advice and consent of the senate, one of whom shall be designated by the governor as chairman. Of the commissioners first appointed hereunder, one shall be appointed for a term of two years, one for a term of four years, and one for a term of six years, from the first day of June, nineteen hundred and five. Upon the expiration of such terms, the term of office of commissioners thereafter appointed shall be six years beginning on the first day of June in the year in which they are appointed. Each commissioner appointed hereunder shall hold office until his successor shall have been appointed, and shall have qualified. If a vacancy shall occur in any such office, otherwise than by expiration of term, the governor shall appoint a commissioner to fill such vacancy for the unexpired term.

OATH OF OFFICE; ELIGIBILITY OF COMMISSIONERS AND OFFICERS
OF COMMISSION.

Section 4. Each commissioner and each person appointed to office by the commission shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office. No person shall be eligible to appointment or shall hold the office of commissioner, or be appointed by the commission to, or hold any office or position under the commission, who holds any official relation to any gas or electric light or power corporation, or who owns stock or bonds therein.

OFFICERS AND MEETINGS OF COMMISSION; OFFICIAL SEAL;
STATIONERY.

Section 5. The principal office of the commission shall be in the city of Albany, in rooms designated by the trustees of public buildings, and it may have a branch office in the city of New York, and one in the city of Buffalo. The commission shall meet at least once a month during the year at its office in Albany. The commission shall have an official seal, to be prepared by the secretary of state as provided by law, and its offices shall be supplied with necessary postage, stationery, office furniture and appliances, to be paid for as other expenses authorized by this act, and it shall have prepared for it by the state the necessary books, maps and statistics, incidentally necessary for the discharge of its duties.

QUORUM OF COMMISSION; POWERS OF SINGLE COMMISSIONER.

Section 6. Two of the commissioners shall constitute a quorum for the transaction of any business or the performance of any duty of the commission and may hold meetings thereof at any time or place within the state. All examinations or investigations made by the commission may be held and taken by and before any one of the commissioners, and the proceedings and decisions of such single commissioner, shall be deemed to be the proceedings and decisions of the commission, when approved and confirmed by it.

OFFICERS, CLERKS, INSPECTORS AND EMPLOYEES.

Section 7. The commission may appoint such officers, clerks, inspectors, experts and employees as may be required to carry out the provisions of this act, subject to the provisions of the civil service law, and may prescribe their duties.

SALARIES AND EXPENSES.

Section 8. The annual salary of each commissioner shall be eight thousand dollars. The officers, clerks, inspectors, experts and other employees of the commission shall receive the compensation fixed by the commission. In the discharge of their official duties the commissioners shall have reimbursed to them the necessary traveling expenses and disbursements of themselves, their officers, clerks, inspectors, experts and other employees, not exceeding in the aggregate the sum of five hundred dollars per month. All salaries and disbursements shall be audited and allowed by the comptroller and paid monthly by the state treasurer upon the warrant of the comptroller.

GENERAL POWERS OF THE COMMISSION.

Section 9. Such commission shall:

1. Have the general supervision of all persons and corporations having authority under any general or special law to lay down or erect and maintain wires, pipes, and other fixtures in, over or under the streets, highways and public places of any municipality in this state, for the purpose of furnishing gas or of furnishing or transmitting electricity for light, heat or power.

2. Investigate and ascertain, from time to time, the quality of gas supplied by persons, corporations or municipalities; examine

the methods employed by such persons, corporations or municipalities in supplying gas and electricity for light, heat and power or in transmitting the same, and order such improvements as will best promote public interests, preserve the public health and protect those using such gas and electricity, and those employed in the manufacture and distribution thereof, or in the maintenance or operation of the works, wires, poles, lines and systems connected therewith.

3. Fix the standard of illuminating power and purity of gas manufactured and sold by persons, corporations and municipalities for lighting purposes, not less than that prescribed by law, and require the gas so manufactured and sold to equal the standard established by law or by it, and establish a standard of pressure at which gas shall be delivered, where such standard is not otherwise prescribed by law.

4. Have power, in its discretion, to prescribe methods of keeping accounts and books, to be observed by the persons, corporations and municipalities, engaged in the manufacture, sale and distribution of gas and electricity for light, heat or power.

5. Examine all persons, corporations and municipalities under its supervision, keep informed as to the methods employed by them in the transaction of their business, and see that their property is maintained and operated for the security and accommodation of the public and in compliance with the provisions of law and of their franchises and charters.

6. Require each corporation under its supervision to submit to it an annual report, verified by the oath of the president, treasurer or general manager thereof, showing in detail (1) the amount of its authorized capital stock, the amount issued and outstanding; (2) the amount of its authorized bonded indebtedness and the amount of its bonds issued and outstanding; (3) its receipts and expenditures during the preceding year; (4) the amount paid as dividends upon its stock and as interest upon its bonds; (5) the amount paid as salaries to its officers and as wages to its employees; (6) the location of its plant and system, with a full description of its property and franchises; and (7) such other facts pertaining to the operation and maintenance of the plant and system, and the affairs of such corporation as may be required by the commission. Such reports shall be in the form, cover the period, and be submitted at the time prescribed by the commission.

7. Make to the legislature an annual report containing the result (1) of examinations or investigations conducted by it, abstracts of reports of corporations made to it, (2) recommendations as to modifications of the laws pertaining to the affairs of corporations subject to its supervision, (3) such facts and explanations as will disclose the methods employed in the manufacture, sale and distribution of gas and electricity for light, heat and power, (4) suggestions as to the better protection of public interests and health in the transaction of business by such corporations, and (5) a record of the meetings and an abstract of the proceedings of the commission during the preceding year.

8. Have power, either through its members or inspectors or employees duly authorized by it, to enter in or upon the property, buildings, plants, factories, power houses and offices of any of such corporations, persons or municipalities while the same are open for the purpose of operation or while the business of such corporation is being done therein.

9. Have power to examine the books and affairs of any such corporations, persons or municipalities, and to compel the production before it of books and papers pertaining to the affairs being investigated by it.

10. Have power to subpoena witnesses, take testimony and administer oaths to witnesses in any proceeding or examination instituted before it, or conducted by it under the provisions of this act.

11. Have power to adopt rules governing practice in proceedings brought by or before it not inconsistent with law.

INSPECTION OF GAS AND ELECTRIC METERS.

Section 10. Such commission shall have full power, control and supervision of the inspection of gas and electric meters by any state or municipal officer appointed for such purpose, and may adopt and enforce rules and regulations, not inconsistent with law, prescribing the manner, methods and conditions of testing such meters. It shall see that the state inspector of gas meters, and the inspectors appointed by him, and municipal inspectors of gas and electric meters, faithfully perform the duties imposed upon them by law, and by the rules and regulations of the commission, and shall report any failure of such performance or any violation of law or of such rules and regulations to the officer or

board appointing such inspectors, and such failure or violation shall be a sufficient cause for their removal. The commission may provide for the inspection of electric meters, and may appoint an inspector for such purpose who shall perform the duties required of him by the commission.

APPROVAL OF INCORPORATION AND FRANCHISES; CERTIFICATE.

Section 11. A corporation hereafter incorporated under the laws of this or any other state for manufacturing and supplying gas for lighting the streets, highways and public places, and for heating and lighting public or private buildings, or for manufacturing, using, transmitting and supplying electricity for producing light, heat or power for public or private buildings or for lighting streets, highways and public places, shall not exercise any of its powers, or transact any business within this state, until it shall have secured a certificate of authority therefor signed and executed by the commission under its official seal. Before such certificate shall be issued a certified copy of the charter of such corporation shall be filed in the office of the commission, together with a verified statement of the president and secretary of the corporation, showing that it has received the required consent of the proper municipal authorities. The commission may inquire as to the necessity of the service to be furnished by such corporation, and as to the intentions and good faith of the corporation and its officers, and if satisfied that the territory within which such corporation proposes to operate is already supplied by an ample and well constructed system, furnishing the service which such corporation proposes to furnish, at a fair and reasonable rate, such commission may refuse to grant its certificate of authority. No municipality shall build, maintain and operate for other than municipal purposes any works or systems for the manufacture and supplying of gas or electricity for lighting purposes without a certificate of authority granted by the commission. If the certificate of authority is refused, no further proceedings shall be taken before the commission, but a new application may be made therefor after one year from the date of such refusal.

APPROVAL OF ISSUE OF STOCK AND BONDS.

Section 12. Stock or bonds shall not be issued by any corporation hereafter incorporated which is subject to the supervision

of the commission, until the certificate of authority has been issued as required in the preceding section, and until such commission shall further certify, in writing as to the amount of stock or bonds reasonably required for the purposes of the corporation. Stock and bonds of such corporation shall not be issued in excess of the amount so certified. Any such corporation heretofore or hereafter incorporated shall not increase its capital stock or its bonded indebtedness without the consent in writing of such commission, stating the amount of the authorized increase. For the purpose of making its determination as to the amount of stock and bonds to be issued or the amount of the authorized increase of the capital stock and bonded indebtedness of any such corporation, the commission may take and hear testimony, and examine the books and papers of the corporation, and require verified statements from the officers thereof, pertaining to the value of the property and franchises owned and operated by such corporation. Such determination shall be made within thirty days after the final submission of the papers or a final hearing on the application.

APPROVAL OF TRANSFER OF FRANCHISE.

Section 13. A corporation subject to the general supervision of the commission shall not transfer or lease its franchise, works, system or property or any part of such franchise, works, system or property to any other person or corporation or contract for the operation of its works, system and property without the written consent of the commission. No such corporation shall directly or indirectly acquire the stock or bonds of any other corporation incorporated for, or engaged in, the same or a similar business, or proposing to operate or operating under a franchise from the same or any other municipality, unless authorized so to do by the commission.

APPEALS TO APPELLATE DIVISION.

Section 14. If the commission shall refuse any certificate, authority or consent required under the provisions of either of the three preceding sections, the commission shall, if requested by the applicant for such certificate, authority or consent, furnish a certified copy of all papers before it pertaining to the application, and of its findings thereon, and such applicant may, within sixty

days after notice of such refusal, present such papers and findings for review to the appellate division of the supreme court of the third department, and such appellate division may order the commission to issue the certificate or grant the authority or consent applied for. Upon such review the commission shall be represented by the attorney-general.

COMPLAINTS AS TO QUALITY AND PRICE OF GAS AND ELECTRICITY.

Section 15. Upon the complaint in writing of the mayor of a city, the trustees of a village or the town board of a town in which a person or corporation is authorized to manufacture, sell or supply gas or electricity for heat, light or power, or upon the complaint in writing of not less than one hundred customers, or purchasers of such gas or electricity, either as to illuminating power, purity, pressure or price of such gas or electricity sold and delivered in such municipality, the commission shall investigate as to cause for such complaint, and may, by its agents and inspectors, inspect the works, system, plant and methods used by such person or corporation in manufacturing, transmitting and supplying such gas or electricity, and examine or cause to be examined the books and papers of such person or corporation pertaining to the manufacture, sale, transmitting and supplying of such gas or electricity.

FORMS OF COMPLAINTS; SIGNATURES.

Section 16. The form and contents of complaints made as provided in the preceding section shall be prescribed by the commission. Such complaints shall be signed by the officers or by the customers, purchasers or subscribers making them, who must add to their signatures their places of residence, by street and number, if any.

NOTICE AND HEARING; FIXING PRICE OF GAS OR ELECTRICITY; ORDERS REQUIRING IMPROVEMENT.

Section 17. Before proceeding under a complaint presented as provided in section fifteen, the commission shall cause notice of the complaint, and the purpose thereof, to be served upon the person or corporation affected thereby. A public hearing shall be had upon such complaint at which the complainants and the person or corporation complained of shall have an opportunity

to be heard, and may be represented by counsel. After such hearing and upon such investigation as may have been made by the Commission or its officers, agents or inspectors, the Commission, within the limits prescribed by law, may fix the maximum price of gas or electricity which shall be charged by such corporation or person in such municipality, or may order such improvement in the manufacture or supply of such gas or in the manufacture, transmission or supply of such electricity, or in the methods employed by such person or corporation, as will in its judgment improve the service. The price so fixed by the Commission shall be the maximum price to be charged by such person or corporation for gas or electricity in such municipality for a term of three years and until, after the expiration of such term such Commission shall upon complaint as provided in this section again fix the price of such gas or electricity.

§ 18. All orders made by the Commission upon its own motion or without complaint, as above provided, shall be made after reasonable notice to the person or corporation affected thereby, and after reasonable opportunity to such person or corporation to present his, their or its defence or objections to the demands of the Commission.

§ 19. The complainant, or any person or corporation aggrieved by any order made by the commission whether upon complaint or otherwise, may, within thirty days after notice of the making of such order, appeal to the appellate division of the supreme court of any department within which the property of the person or corporation affected by said order is situated, except as otherwise hereinbefore provided, in whole or in part. Such court may affirm, reverse in whole or in part or modify the order appealed from, or may make such order in the premises in its discretion as it may deem just and proper. On all such appeals the Commission shall be represented by the attorney-general.

§ 20. An order made by the commission, as in this act provided, or in case of an appeal from an order, the order as affirmed or modified or the order made on such appeal may be enforced by writ of mandamus. The commission or any person, corporation or municipality interested in the enforcement of such order may apply to the supreme court at a special term thereof for a writ of mandamus to compel compliance with such order, upon proof that the said order has been duly made, as in this act provided, and has not been complied with, after notice of the

making thereof, to the person or corporation affected thereby, the supreme court may issue a writ of mandamus to enforce the provisions of said order.

DEFENCE IN CASES OF EXCESSIVE CHARGES.

Section 21. If it be alleged and established in an action brought in any court for the collection of any charge for gas or electricity, that a price has been demanded in excess of that fixed by the Commission or by statute in the municipality wherein the action arose, no recovery shall be had therein, but the fact that such excessive charges have been made shall be a complete defence to such action.

§ 22. There shall be appropriated for the use of the Commission and for the payment of salaries and disbursements under this act, from money not otherwise appropriated the sum of sixty thousand dollars.

§ 23. This act shall take effect immediately.

APPENDIX "B."

RULES OF PRACTICE OF THE COMMISSION.

APPENDIX "B."

RULES OF PRACTICE.

COMMISSION OF GAS AND ELECTRICITY OF THE STATE OF NEW YORK.

The following are the rules of practice adopted by the Commission:

ANNUAL REPORTS.

(Laws 1905, Chapter 737, Section 9, Subdivision 6.)

Each corporation under the supervision of the Commission is required to submit to it an annual report for the year preceding the 30th day of June, 1906, and annually thereafter. The Commission will prescribe the form of the report and on or before May first of each year will furnish a blank form for such report. The report must be furnished to the Commission on or before the fifteenth day of September following.

INDORSEMENT OF PAPERS AND COPIES.

All papers on applications to the Commission shall be indorsed with the name and postoffice address of counsel, or of the person instituting the proceeding, to whom correspondence is to be addressed.

In all cases, except complaints, copies in triplicate (one original and two copies) of each paper filed on applications shall be furnished to the Commission.

APPROVAL OF INCORPORATION.

(Laws 1905, Chapter 737, Section 11.)

Application must be made by verified petition; accompanying the petition there must be a certified copy of the articles of incor-

poration and a verified statement, made by the president and secretary of the corporation, showing that it has received the required consent of the proper municipal authorities, and any facts bearing on the necessity for the service proposed to be furnished, with a statement in detail of the capacity, capital stock and equipment of all similar corporations having the right to furnish service of a similar character in the territory in which the petitioner proposes by its charter to operate.

A date for hearing will be fixed and the Commission will require notice of the application to be published in local newspapers designated by the Commission. Proof of publication must be furnished at the hearing.

NOTE.—The approval of the incorporation, if granted, does not permit the issue of stock or bonds until this Commission grants a further certificate in writing as to the amount of stock or bonds reasonably required for the purposes of the corporation. (See Laws 1905, chap. 737, § 12.) The Commission recommends that both applications be made, if practicable, at the same time. A sworn statement from the officers of the corporation must be furnished giving in detail the value of the property and franchises owned and to be operated by such corporation, the purposes to which the proceeds of the proposed issue of stock or bonds are to be devoted and any other pertinent information. Accompanying the statement, an estimate, made by a person competent to make the same, must be furnished of the cost of proposed construction and equipment. (Such statement and estimate will not comply with this rule unless they contain the number of the various items and the estimated value, or cost, of each, classified separately.)

CERTIFICATE OF AUTHORITY TO A MUNICIPALITY.

(Laws 1905, Chapter 737, Section 11.)

Application must be made by verified petition. The petition should state the capacity, capital stock and equipment of all corporations (and the capacity and equipment of any plant and the amount invested therein by any individual), having the right to furnish service of a similar character in the territory in which the petitioner proposes to operate.

A date for hearing will be fixed and the Commission will require notice of the application to be published in local news-

papers to be designated by it. Proof of publication must be furnished at the hearing.

The petition shall further state any facts bearing on the necessity for the service proposed to be furnished and a verified estimate, made by a person competent to make the same, of the cost of the proposed construction and equipment. (Such estimate will not comply with this rule unless it contains the number of the various items and the estimated value, or cost, of each, classified separately.)

Such petition shall further have annexed thereto a copy of any outstanding contract for the furnishing of gas or electricity, as the case may be, for public lighting in such territory and the petitioner shall be prepared at the hearing to give oral proof of the intentions and good faith of the municipality in applying for a certificate to build, maintain and operate, for other than municipal purposes, such works or systems for the manufacture and supply of gas or electricity for lighting purposes.

If contracts have been provisionally entered into for building and equipment of such plant, copies of the same should be furnished at the hearing.

INCREASE OF CAPITAL STOCK.

(Sections 44-46 of the Stock Corporation Law. Laws 1905, Chapter 737, Section 12.)

Application must be made by verified petition. A date for hearing will be fixed and the Commission will require notice of the application to be published in local newspapers, to be designated by it. Proof of publication of the notice must be furnished at the hearing.

Accompanying the petition there must be:

First.—Three certificates of the proceedings of the meeting of stockholders at which the increase is authorized. If the application is approved, two copies will be returned accompanied by duplicate originals of the consent of the Commission, to be filed in the offices of the county clerk and the Secretary of State, respectively.

Second.—A sworn statement from the officers of the company and a qualified expert giving in detail the value of the property and franchises owned and operated by such corporation; the financial condition of the company, the amount of capital stock

authorized and amount issued; the outstanding indebtedness and any other pertinent information with a statement in detail of the cost of the plant and equipment and the value of all assets of the company.

Third.— A sworn statement in detail, of the purposes to which the proposed increase of stock are to be devoted, and if for further construction and equipment, a verified estimate, in detail, of the cost thereof made by a person competent to make the same. (Such statement will not comply with this rule unless it contains the various items, giving number and estimated cost of each, classified separately.)

ISSUE OF BONDS.

(Section 2 of the Stock Corporation Law. Laws 1905, Chapter 737, Section 12.)

Application must be made by verified petition, stating what denomination of bonds is proposed and what the lien is to be, if any, to secure the same.

A date for hearing will be fixed and the Commission will require notice of the application to be published in local newspapers to be designated by it. Proof of publication of the notice must be furnished at the hearing.

Accompanying the petition there must be:

First.— Proof of the consent of the stockholders, under the statute to the execution of the mortgage or deed of trust, if any, collateral to such bonds, and two certified copies of the resolution of the directors, authorizing the issue of bonds. If the application is approved, one copy will be returned accompanied by a duplicate original of the consent of the Commission, which the Commission recommends should be filed and recorded in the office of the proper county clerk.

Second.— A sworn statement in detail, from the officers of the corporation, giving the value of the property and franchises, owned and operated by such corporation; the financial condition of the company, the amount of capital stock authorized and the amount issued; the amount of mortgage bonds authorized and the amount outstanding, and the amount of other indebtedness of the company, as well as any other pertinent information, including a statement in detail of the cost of the plant and equipment and the value of all the assets of the company.

Third.—A sworn statement, in detail, of the purposes to which the proceeds of the proposed issue of bonds are to be devoted, and if for further construction and equipment, a verified estimate in detail, of the cost thereof, made by a person competent to make the same. (Such estimate will not comply with this rule unless it contains the various items, giving number and estimated cost of each, classified separately.)

ACQUISITION OF STOCK OR BONDS OF OTHER CORPORATIONS.

(Stock Corporation Law, Section 40. Laws 1905, Chapter 737, Section 13.)

Application must be made by verified petition. A date for hearing will be fixed and the Commission will require notice of the application to be published in local newspapers to be designated by it. Proof of publication of notice must be furnished at the hearing.

Accompanying the petition there must be:

First.—A statement verified by the officers of the company, showing the price at which such stock or bonds are proposed to be acquired and from whom, and copies of any provision in the charter of the corporation, permitting such acquisition, or facts bringing the case within the terms of section 40 of the Stock Corporation Law.

Second.—A certified copy of any resolution of the board of directors, authorizing such purchase.

Third.—A sworn statement in detail, of the capacity, capital stock and equipment of all similar corporations having the right to furnish service of a similar character in the territory in which the operations of both corporations are allowed by their respective charters.

Fourth.—Sworn statements in detail from the officers of both companies and qualified experts, giving the value of the property and franchises owned and operated by each of such corporations; the financial condition of each company, the amount of capital stock authorized and issued by each company; the outstanding indebtedness and any other pertinent information, with a statement in detail, of the cost of the plant and equipment and the value of all assets of each company.

Fifth.—A copy of any provision in the charter or franchise of either company affecting the price to be charged for the

product of the company, or the right of either company to consolidate with any other company, or to sell its property and franchises.

APPROVAL OF TRANSFER OF FRANCHISE.

(Stock Corporation Law, Section 33. Laws 1905, Chapter 737, Section 13.)

Application must be made by verified petition. A date for hearing will be fixed and the Commission will require notice of the application to be published in local newspapers to be designated by it. Proof of publication of notice must be furnished at the hearing.

Accompanying the petition there must be:

First.—Two certificates of the proceedings of the meeting of stockholders at which the sale and conveyance is authorized. If the application is approved, one copy will be returned accompanied by a duplicate original of the consent of the Commission, which the Commission recommends should be filed and recorded in the office of the proper county clerk.

Second.—A sworn statement in detail, of the capacity, capital stock and equipment of all similar corporations having the right to furnish service of a similar character in the territory in which the operations of both corporations are allowed by their respective charters.

Third.—Sworn statements in detail, from the officers of both companies and qualified experts, giving the value of the property and franchises owned and operated by each of such corporations; the financial condition of each company, the amount of capital stock authorized and issued by each company; the outstanding indebtedness and any other pertinent information with a statement in detail, of the cost of the plant and equipment and the value of all assets of each company.

Fourth.—A statement in detail, of what provisions are to be made for the payment of the existing indebtedness of the company selling its property and franchises, and a copy of any provision in the charter or franchise of either company, affecting the price to be charged for the product of the company, or the right of either company to consolidate with any other company or to sell its property and franchises.

AMENDED RULE AS TO COMPLAINTS.

(Laws 1905, Chapter 737, Section 15.)

All complaints to the Commission shall be in writing and the causes of the complaint should be stated clearly and concisely. Four copies should accompany the original. Upon receipt of such complaint (unless in the judgment of the Commission immediate action is required) a copy is sent to the person or corporation complained of, together with a notice stating the purpose thereof and appointing a time and place of hearing.

Complaints to the Commission should be in the following form as near as practicable:

To the Commission of Gas and Electricity, the (mayor, trustees or town board) of hereby complain to the Commission, of the Company, regarding the (gas or electricity) sold and delivered in such municipality by such company, as to its (illuminating power, purity, pressure or price) as follows, viz.: (Here state concisely and in detail all matters complained of) and make request in accordance with section 15 of chapter 737 of the Laws of 1905, that the Commission investigate the cause of the matters herein complained of.

Dated

.....,

Mayor.

(or other officer as the case may be)
of the

Add affidavit of verification as to the truth of the complaint and describing official relations to the municipality.

In case of a complaint by consumers, the above should be adapted to the facts, and no verification is required, but signers must add their places of residence by street and number, if any.

ACCIDENTS.

The general superintendent or manager of every such corporation, or the person in charge of the business of an individual shall inform the Commission of any accident resulting in loss of life or injury to person, immediately after its occurrence.

AMENDMENT OF RULES.

The Commission will alter these rules as circumstances require.

APPENDIX "C."

STATED MEETINGS OF THE COMMISSION.

APPENDIX "C."

MEETINGS OF THE COMMISSION.

Stated meetings of the Commission were as follows:

January 2	New York city.
January 3	New York city.
January 4	New York city.
January 5	New York city.
January 8	New York city.
January 9	New York city.
January 11	New York city.
January 12	New York city.
January 16	New York city.
January 17	New York city.
January 18	Albany.
January 19	Albany.
January 20	Syracuse.
January 22	New York city.
January 23	New York city.
January 24	New York city.
January 29	New York city.
January 30	New York city.
January 31	New York city.
February 1	New York city.
February 3	Auburn.
February 5	New York city.
February 6	New York city.
February 7	Albany.
February 8	Albany.
February 9	New York city.
February 13	New York city (borough of Brooklyn).
February 14	New York city (borough of Brooklyn).
February 15	Oswego.

February 16	Albany.
February 20	New York city (borough of Brooklyn).
February 23	Albany.
February 24	New York city.
February 26	New York city (borough of Brooklyn).
February 26	Oswego.
February 28	New York city (borough of Brooklyn).
March 2	New York city.
March 5	Oswego.
March 6	Oswego.
March 6	Albany.
March 7	Albany.
March 7	Oswego.
March 13	Albany.
March 14	Albany.
March 15	Albany.
March 16	Albany.
March 20	Syracuse.
March 21	Syracuse.
March 22	Syracuse.
March 23	Syracuse.
March 24	Syracuse.
March 28	Albany.
March 29	Syracuse.
March 30	Syracuse.
March 31	Syracuse.
April 4	Albany.
April 11	Syracuse.
April 12	Syracuse.
April 13	Syracuse.
April 14	Syracuse.
April 16	Syracuse.
April 17	Albany.
April 17	Syracuse.
April 20	Syracuse.
April 21	Syracuse.
April 24	Albany.
April 25	Albany.

April 28	Plattsburgh.
May 1	Syracuse.
May 2	Syracuse.
May 3	Syracuse.
May 4	Syracuse.
May 5	Syracuse.
May 7	Albany.
May 7	Syracuse.
May 8	Syracuse.
May 9	Syracuse.
May 15	Albany.
May 22	Plattsburgh.
May 25	New York city.
June 4	Albany.
June 5	Albany.
June 6	Albany.
June 6	Auburn.
June 21	Auburn.
June 25	New York city.
June 28	Albany.
June 29	Albany.
July 6	Albany.
July 10	Albany.
July 11	Albany.
July 11	Auburn.
July 19	Albany.
July 24	Albany.
July 25	Albany.
July 26	Albany.
July 27	Albany.
August 28	Albany.
August 29	Albany.
September 5	Albany.
September 6	Albany.
September 10	New York city.
October 9	Rochester.
October 9	Buffalo.
October 10	Albany.
October 11	Albany.
October 25	Albany.
October 30	Albany.

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November 12	Albany.
November 20	Albany.
November 21	Albany.
November 22	Albany.
November 26	New York city.
November 27	Albany.
December 4	Mount Vernon.
December 12	Albany.
December 17	Albany.
December 18	Buffalo.
December 21	Watertown.
December 26	Mount Vernon.
December 28	Albany.

Numerous other meetings were held, at which evidence was taken, policies determined, orders prepared, and general business transacted. An abstract of the proceedings of the meetings is given under the various headings in the report.

APPENDIX "D."

**ABSTRACTS OF REPORTS OF CORPORATIONS, MUNICIPALITIES AND
PERSONS.**

APPENDIX "D."

ABSTRACTS OF REPORTS OF CORPORATIONS, MUNICIPALITIES AND PERSONS AS OF JUNE 30, 1906, FILED PURSUANT TO SUBDIVISION 6, SECTION 9 OF THE ACT ESTABLISHING THE COMMISSION, AND ARRANGED ALPHABETICALLY ACCORDING TO TERRITORY SUPPLIED.

NOTE.—"n. r." indicates figure not reported.

"Commercial service" applies to service in both residences and business places.

"Public service" applies to municipal service.

Capitalization does not include bills and notes or other permanent indebtedness. In a few instances specified it does include bonds and mortgages.

"Stock" indicates amount issued.

"Bonds" indicates amount outstanding.

ADAMS.

(Population, 1,449.)

Adams Electric Light Company, Ltd.; supplies electricity.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$10,000; bonds, none.

Operating data.—Electricity generated by steam power.

Rates charged.—For commercial service, flat rates: arc service, 18c. per lamp per night; incandescent service, 2½c. to 3c. per night per 16 c. p. l. For public service, arc street lighting: number of arc lamps, open 24, c. p. 2,000; schedule 240 nights, 8 months until 11 p. m., 4 months until 12 m., price per lamp per night, 27c. Incandescent street lighting: number of incandescent street lamps, 15; c. p. 16.

ADDISON.

(Population, 2,027.)

Addison Electric Light and Power Company; supplies electricity.

Financial Data.—Capitalization: common stock, \$20,000; bonds, none; dividends, none; balance sheet, June 30, 1906. As-

sets: construction and equipment account, \$18,633.15; total assets, \$19,763.93. Liabilities: capital account, \$20,000; total, \$20,000.

Operating data.—Gross earnings from operation, \$3,887.72; operating expenses, \$3,202.81. Total amount of electricity generated, 125,140 kw. h.; amount sold, 114,129 kw. h.; amount unaccounted for, 11,011 kw. h.—equals 10 per cent. Connected load, street lights, 23 kw.; connected load, commercial lights, 25 kw.; total, 48 kw. Meters, 390 amperes; service transformers, 61½ kw. capacity. Electricity generated by natural gas power. Engine, h. p., 205; generator capacity, 105 kw.

Rates charged.—For commercial service: rate for metered arc and incandescent service, 10c. kw. h. For public service, arc street lighting: number of 6.6 amperes enclosed arc lamps, 35; schedule, all night and every night; 4,215 hours per year; price per lamp per year, \$65. Incandescent street lighting, none.

Addison Gas and Power Company; supplies natural gas.

Financial data.—Capitalization: common stock issued, \$50,000; bonds outstanding, \$15,000; interest, rate 6 per cent, amount (n. r.); dividends, none.

Operating data.—Gross earnings from operation, \$4,691.55; operating expenses, \$1,607.25; number of wells operating (n. r.); gas sold, 45,798,000 cubic feet; miles of main, 6 miles, 4,743 feet.

Rates charged.—For commercial service: lighting and fuel, 33c, with 5 per cent discount for prompt payment.

Potter Gas Company (office Coudersport, Pa.); supplies natural gas to distributing companies at city lines of Addison, Corning, Elmira and Southport.

Financial data.—Capitalization: common stock issued, \$1,121,000; preferred stock issued, \$283,650; bonds outstanding, \$500,000; interest, rate 6 per cent, amount (n. r.); dividends, rate three per cent., amount, \$8,509.50.

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.); number of wells operating (n. r.); gas sold (n. r.); miles of main (n. r.).

Rates charged.—(n. r.)

AFTON.

(Population, 711.)

Afton Gas Light Co.; gasoline gas.

Financial data.—Capitalization: common stock issued, \$2,000; bonds outstanding, none; dividends, rate 5 per cent, amount, \$100.

Operating data.—Gross earnings from operation, \$802.20; operating expenses, \$757.44; daily capacity (n. r.); length of main, 2,800 feet.

Rates charged.—For commercial service, \$2 per 1,000 cubic feet.

AKRON.

(Population, 1,720.)

The Akron Natural Gas Co.; supplies natural gas in Akron and Clarence.

Financial data.—Capitalization: common stock issued, \$195,400; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation, \$38,598.35; operating expenses, \$21,911.33; number of wells operating, 34; gas sold (n. r.); miles of main, 18 miles, 2,897 feet.

Rates charged.—For commercial service, lighting and fuel, 25c.

ALBANY.

(Population, 98,374.)

Municipal Gas Company; supplies water gas and electricity to the city of Albany, also supplies city of Watervliet, and towns of Colonie and Green Island; total population, 125,697.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$2,000,000; bonds outstanding, \$500,000; dividends, 10 per cent.

Operating data — *Gas.*—Gas sold, over 400,000,000 feet.

Operating data — *Electric.*—Current purchased; electricity generated by steam power, at times, 8,000 h. p.

Rates charged — *Gas.*—For commercial service, \$1.30 and \$1; fuel, \$1; city buildings furnished free of charge.

Rates charged — *Electric.*—For commercial service: rates for metered arc service, maximum, 15c. per kw. h.; rates for metered incandescent service, 15c. per kw. h.; rates for power service, \$60 per h. p. per year. For public service: arc street light-

ing, number of arc lamps open, 688, c. p. 2,000; more than 4,000 hours per year; price per lamp per night, 32c.; June 21, 1906, a new contract was entered into at 27c. per night. City buildings furnished free of charge under former contract.

ALBION.

(Population, 5,174.)

Albion Power Co.; supplies coal gas and electricity in village of Albion, also supplies electricity in Brockport and Middleport; total population, 10,500.

Financial data.—Capitalization: common stock issued, \$194,900; bonds outstanding, \$260,200; interest, rate 5 and 6 per cent, amount, \$14,435.11; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$78,275.16; electric, \$410,949.72; total assets, \$502,380.51. Liabilities: capital account, \$455,100; total, \$506,174.95; profit and loss, deficit, \$3,794.44; capitalization per mile of main (n. r.); construction account per mile of main, \$13,732.

Operating data — Gas.—Gross earnings from operation, \$10,325.17; operating expenses, \$9,000.44; gas produced, 6,402,100 cubic feet; gas sold, 5,454,000 cubic feet; gas used by company, 116,600 cubic feet; gas unaccounted for, 718,900 cubic feet; percentage of gas unaccounted for, 11.2; number of meters in service, 365; miles of main, 5 miles, 3,571 feet; gas sold per capita, 1,091 cubic feet; gas sold per consumer, 15,808 cubic feet; gas sold per mile of main, 994,036 cubic feet; number of consumers per mile of main, 57; residuals, coke, 577 net tons, tar, 8,493 gallons.

Operating data — Electric.—Gross earnings from operation, \$37,441.45; operating expenses, \$31,504.49; total amount of electricity generated, 1,187,959 kw. h.; amount sold, 1,074,751 kw. h.; amount unaccounted for, approximately, 113,208 kw. h., equals 9 per cent. Connected load: street lights, 61 kw.; commercial lights, 592 kw.; power, 183 kw.; total, 836 kw.; meters, 6,495 amperes. Service transformers, 1,177.8 kw. capacity; electricity generated by water and steam power; boiler h. p., 452; engine h. p., 495; water wheels h. p., 1,037; generator capacity, 818 kw.

Rates charged — Gas.—For commercial service: lighting, \$1.50; fuel, \$1.50; discount, 10 per cent on bills of \$10 and under; 12½ per cent. on bills exceeding \$10; minimum, 50c. per month. No public service.

Rates charged — Electric.— For commercial service, flat rates: arc service, \$5 per month; discount, 10 per cent.; incandescent service, \$1.25 for one 16 c. p. l.; two, \$1 per month each; three or more, 75c. each; rates charged for metered arc and incandescent service, 12c. to 6c. per kw. h.; discount, 10 per cent. to 50 per cent; for daylight service, only, a second discount at same rate; minimum charge per month, 5c. per 16 c. p. l.; rates for metered power service same; minimum 75c. per h. p. on capacity reserved. For public service in Albion: arc street lighting, number of arc lamps open, 63, c. p. 2,000; schedule, dusk to 1 A. M.; 1,875 hours per year; price per lamp per annum, \$65, schedule subject to intermission, when moon is bright and one hour high. Incandescent street lighting: number of incandescent street lamps, 10, c. p., 16; schedule all night, every night, 4,300 hours per year; price per lamp per annum, \$12.

Remarks.— For further rates charged for public service, see Brockport and Middleport.

ALEXANDRIA BAY.

(Population, 1,854.)

St. Lawrence International Electric Railroad and Land Company; supplies electricity.

Financial data.— Capitalization: common stock, \$250,000; bonds, none outstanding; dividends, none; balance sheet June 30, 1906. Assets: construction and equipment account, \$282,906.29 (including railroad); total assets, \$287,193.02. Liabilities: capital account, \$250,000 total liabilities (exclusive of profit and loss account), \$279,691.05. Profit and loss, surplus, \$7,501.97.

Operating data.— Gross earnings from operation, lighting department, \$8,166.19; operating expenses, lighting department, \$5,502.23. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.). Meters, 720 amperes; service transformers, 147.9 kw. capacity. Electricity generated by steam power; boiler h. p., 480; engine h. p., 475; generator capacity, 459 kw.

Rates charged.— For commercial service, flat rates: incandescent service, 2c. per night, 16 c. p. basis; \$1.50 per month minimum. Rates for metered incandescent service, regular consumers, 15c. per kw. h.; summer rates, 20c. per kw. h., 20c. per month

meter rent, \$1.50 per month minimum. For public service: arc street lighting, number of arc lamps enclosed, 30; c. p., 2,000; schedule moonlight 1 A. M., 2,190 hours per year; price per lamp per annum, \$75.

ALDEN.

(Population, 711.)

The Alden Batavia Natural Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, for commercial service see Batavia.

ALFRED.

(Population, 912.)

Mutual Gas Company Ltd.; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Andover.

ALFRED STATION.

Empire Gas and Fuel Company Ltd.; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Wellsville.

ALLENTOWN.

Empire Gas and Fuel Company Ltd.; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Wellsville.

ALMOND.

Empire Gas and Fuel Company, Ltd.; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Wellsville.

ALTAMONT.

(Population, 700.)

The Altamont Illuminating Company; acetylene gas.

Financial data.—Capitalization: common stock issued, \$4,800; bonds outstanding, none; dividends, rate 4 per cent, amount, \$192.

Operating data.—Gross earnings from operation, \$2,088.81; operating expenses, \$1,760.44; daily capacity (n. r.); length of main, 13,200 feet.

Rates charged.—For commercial service; lighting, \$12.50 per 1,000 cubic feet. For public service, street lighting: number of lamps, 30; price per lamp per year, \$12.95.

AMENIA.

(Population, 400.)

Amenia Acetylene Gas Co.; acetylene gas.

Financial data.— Capitalization: common stock issued, \$5,000; bonds outstanding, none; dividends, rate 6 per cent.; amount, \$300.

Operating data.— Gross earnings from operation, \$1,448.82; operating expenses, \$1,118.99; daily capacity, 1,250 cubic feet per night; length of main, 7,600 feet.

Rates charged.— For commercial service: lighting, \$15 per 1,000 cubic feet. For public service, street lighting: number of lamps, 30; price per lamp, \$13 per year.

AMITYVILLE.

(Population, 2,500.)

Amityville Electric Light Company; supplies electricity; also supplies suburbs.

Financial data.— Capitalization: common stock, \$20,000; bonds outstanding, \$15,000; interest, 5 per cent.; amount, \$750; dividends, rate, 6 per cent.; amount, \$1,200; balance sheet, June 30, 1906. Assets: construction and equipment account, \$37,068.61; total assets, \$42,305.91. Liabilities: capital account, \$35,000; total (exclusive of profit and loss account), \$38,029.52. Profit and loss, surplus, \$3,276.39.

Operating data.— Gross earnings from operation, \$11,207; operating expenses, \$10,462.38. Total amount of electricity generated (n. r.); amount sold, 147,460 kw. h.; amount unaccounted for (n. r.). Connected load, commercial lights, 72 kw.; meters, 2,415 amperes; service transformers, 197.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 150; engine, h. p., 150. Generator capacity, 110 kw.

Rates charged.— For commercial service, flat rates: incandescent service, 1c. per hour for 16 c. p. l.; all night, \$1.50 per month. Rate for metered arc and incandescent service, 18c to 16c. per kw. h.; minimum, \$1 per month. For public service, incandescent street lighting: number of incandescent street lamps, 100; c. p. 16; schedule, all night; price per lamp per year, \$18.

AMSTERDAM.

(Population, 23,000.)

Chuctanunda Gas Light Company; kind of gas, coal and water.

Financial data.—Capitalization: common stock issued, \$125,000; bonds, none; dividends, rate 10 per cent.; amount, \$12,500; balance sheet, June 30, 1906. Assets: construction and equipment account, \$192,683.25; total assets, \$210,534.08. Liabilities: capital account, \$125,000; total (exclusive of profit and loss account), \$143,461.12. Profit and loss, surplus, \$67,072.96. Capitalization per mile of main, \$6,250; construction account per mile of main, \$9,780.

Operating data.—Gross earnings from operation, \$86,393.25; operating expenses, \$15,816.85; gas produced, 70,025,100 cubic feet; gas sold, 62,595,100 cubic feet; gas used by company, 380,000 cubic feet; gas unaccounted for, 6,900,700 cubic feet; percentage of gas unaccounted for, 9.8; number of meters in service, 1,099; miles of main, 19 miles, 3,722 feet; gas sold per capita, 2,619 cubic feet; gas sold per consumer, 24,741 cubic feet; gas sold per mile of main, 3,294,736 cubic feet; number of consumers per mile of main, 128. Residuals: coke, 3,843 gross tons; tar, 79,106 gallons.

Rates charged.—For commercial service: lighting, \$1.25 gross, \$1 net; fuel, \$1.25 gross; 90c. net for consumption over 500,000 cubic feet, yearly. For public service, street lighting: number of lamps, 2; number of hours, 4,000; price per lamp per year, \$56 (gas arc lamp).

Edison Electric Light and Power Company of Amsterdam, N. Y.; supplies electricity.

Financial data.—Capitalization: common stock, \$23,000; bonds, none; dividends, rate 6 per cent.; amount, \$1,380; balance sheet, June 30, 1906. Assets: construction and equipment account, \$115,632.02; total assets, \$123,804.21. Liabilities: capital account, \$23,000; total (exclusive of profit and loss account), \$118,924.73. Profit and loss, surplus, \$4,879.48.

Operating data.—Gross earnings from operation, \$44,085.30; operating expenses, \$33,722.04. Total amount of electricity generated, 1,298,841 kw. h.; amount sold, 1,145,145 kw. h.; amount unaccounted for, 153,656 kw. h., equals 11.8 per cent. Connected load, street lights, 447.5 kw.; connected load, commercial lights, 381; power, 306.6 kw.; total, 1,135.1 kw. Meters, 12,303 amperes; service transformers, 1,066 kw. capacity. Current purchased.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 5c. to 3 1/3c. per kw. h.; discount, 10 per cent.; rates for metered power service, \$.0473 to \$.0124 per kw. h.; discount, 5 per cent. on all the current sold above the rate of \$.0124. For public service, arc street lighting: number of arm lamps, enclosed, 238; c. p., 2,000; schedule, all night; 4,000 hours per year; price per lamp per annum, \$68.99.

ANDOVER.

(Population, 1,097.)

Andover Gas Company; supplies natural gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$10,000; bonds, none; dividend, rate, 12½ per cent.

Operating data.—Gas sold to consumers, 22,540,000 cubic feet; for public buildings, 310,000 cubic feet.

Rates charged.—For commercial service: lighting, 18c. to 10c.; fuel, 17.1c. net.

Mutual Gas Company, Ltd.; supplies natural gas in Andover, Alfred, Greenwood, and Whitesville; total population, 2,859.

Financial data.—Capitalization: common stock issued, \$50,000; bonds outstanding, \$80,000; interest, rate 6 per cent.; amount, \$3,300; dividends, none.

Operating data.—Gross earnings from operation, \$57,589.94; operating expenses, \$24,612.29; number of wells operating, 81; gas sold, 164,047,000 cubic feet; miles of main, 49 miles, 2,108 feet.

Rates charged.—For commercial service: lighting and fuel, 27c. with discount of 2c. for prompt payment; for power, 15c. net for large consumers. For public service, street lighting: number of lamps, 63; price per lamp, 25c. per month.

Remarks.—Gross earnings from operation and operating expenses include oil.

ANGELICA.

(Population, 1,101.)

Producers Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Olean.

ANGOLA.

(Population, 806.)

Angola Gas Company; supplies natural gas in Evans Township, Evans Center, and Angola, and also summer resorts along Lake Erie.

Financial data.—Capitalization: common stock issued, \$90,025; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.); total receipts from sales of gas, \$3,153.13; number of wells operating (n. r.); gas sold, 8,083,000 cubic feet; miles of main, 11,231 feet.

Rates charged.—For commercial service: lighting, 50c.; for power, 25c. For public service: lighting public buildings free; street lighting; number of lamps, 13, at \$6 per year.

ANTWERP.

(Population, 1,014.)

Antwerp Electric Light Works; name of owner, Joseph A. Baumert; supplies electricity. No report has been received from this company. Construction and equipment, \$4,000.

ARDSLEY.

(Population, 470.)

Westchester Lighting Company; supplies electricity.

Rates charged.—Electric, for public service: incandescent street lighting; number of incandescent street lamps, 47; c. p., 25; New York city schedule, 3,950 hours per year; price per lamp per annum, \$25.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

ATHENS.

(Population, 2,015.)

Upper Hudson Electric Company; supplies electricity.

Rates charged.—For public service: incandescent street lighting; number of incandescent street lamps, 98; c. p., 25; schedule, all night except full moon; 3,000 hours per year; price per lamp per annum, \$21.25.

Remarks.—For financial and operating data and rates charged for commercial service, see Coxsackie.

ATTICA.

(Population, 2,500.)

The Attica Water, Gas and Electric Company; supplies natural gas and electricity in village of Attica.

Financial data.—Capitalization: common stock issued, \$100,000; preferred, \$100,000; bonds outstanding, \$135,000; interest, rate 5 per cent.; amount (n. r.); dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$325,000; total assets, \$450,063.65. Liabilities: capital account, \$400,000 total (exclusive of profit and loss account), \$443,125.19; profit and loss, surplus, \$6,938.46; capitalization per mile of main (n. r.); construction account per mile of main (n. r.)

Operating data—Gas.—Gross earnings from operation, \$4,275.78; operating expenses, \$3,100; gas sold, 10,071,000 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.); number of meters in service, 262; miles of main, 12 miles, 4,740 feet; gas sold per capita (n. r.); gas sold per consumer (n. r.); gas sold per mile of main (n. r.); number of consumers per mile of main (n. r.).

Operating data—Electric.—Gross earnings from operation, \$3,100; operating expenses, \$4,068.42. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 19 kw.; commercial lights, 41 kw.; power, none; total, 60 kw. Meters (n. r.); service transformers, 47 kw. capacity. Electricity generated by gas power. Boiler, h. p., —; engine, h. p., 165; water wheels, h. p., —; generator capacity, 120 kw.

Rates charged—Gas.—For commercial service lighting, \$1.10; for fuel, 40c. No public service.

Rates Charged—Electric.—Commercial service, flat rates: \$8 per year for first lamp, \$6 for second, \$4 for third, and \$2 for all over and above the first three. For public service, arc street lighting: number of arc lamps enclosed, 28, c. p., 2,000; schedule moonlight, hours per year (n. r.); price per lamp per annum (n. r.). Incandescent street lighting: number of incandescent street lamps, 37., c. p. 25; schedule moonlight, number of hours per year (n. r.); price per lamp per annum (n. r.)

Remarks.—Construction and equipment account includes water, gas and electricity.

The Attica Natural Gas Company; supplies natural gas in part of Attica.

Financial data.—Capitalization: common stock issued, \$10,000; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.); net earnings from operation, \$6,158.82; number of wells operating, 3; gas sold, 15,000,000 cubic feet; miles of main, 5 miles, 426 feet.

Rates charged.—For commercial service: lighting \$1.10 gross with discount of 10 per cent.; fuel, 45c gross with discount of 5 per cent.

AUBURN.

(Population, 31,422.)

Auburn Gas Company; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$395,000; preferred stock issued, \$205,000; bonds outstanding, \$600,000; interest, 5 per cent.; amount, \$24,358.29; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,188,917.79; total assets, \$1,225,391.24. Liabilities: capital account, \$1,190,000; total (exclusive of profit and loss account), \$1,199,826.43; profit and loss, surplus, \$25,564.81; capitalization per mile of main, \$21,739; construction account per mile of main, \$21,538.

Operating data.—Gross earnings from operation, \$87,941.62; operating expenses, \$42,340.14; gas purchased, 92,139,000 cubic feet; gas sold, 83,476,100 cubic feet; gas used by company, 893,200 cubic feet; gas unaccounted for, 12,810,200 cubic feet; percentage of gas unaccounted for, 13.9 per cent.; number of meters in service, 1,665; miles of main, 55 $\frac{1}{5}$ miles; gas sold per capita, 2,650 cubic feet; gas sold per consumer, 20,330 cubic feet; gas sold per mile of main, 1,512,248 cubic feet; number of consumers per mile of main, 92.

Rates charged.—For commercial service: for lighting, gross, \$1.35; net, \$1.25; for fuel, gross, \$1.35. If gas is used entirely for fuel, net, \$1.

Citizens' Light and Power Company of Auburn, N. Y. supplies electricity.

Financial data.—Capitalization: common stock, \$250,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$300,000; total assets,

\$362,527.07. Liabilities: capital account, \$250,000; total, \$362,697.09. Profit and loss, deficiency, \$170.02.

Operating data.—Gross earnings from operation, \$10,152.40; operating expenses, \$9,329.33. Amount of electricity sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights (n. r.). Meters (n. r.); service transformers, 205 kw. capacity. Current purchased.

Rates charged.—For commercial service, flat rates: incandescent service, 50c. per month per 10 c. p. l., 70c. per 16 c. p. l., \$1.40 per 32 c. p. l. Rates for metered arc and incandescent service, 10c. to 6½c. per kw. h.; minimum, 75c. per month. No public service.

The Auburn Light, Heat and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$300,000; bonds outstanding, \$308,000; interest, 5 per cent.; amount, \$15,400; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$741,710.32; total assets, \$764,921.85. Liabilities: capital account, \$608,000; total (exclusive of profit and loss account), \$727,838.58. Profit and loss, surplus, \$37,083.27.

Operating data.—Gross earnings from operation (including steam heating), \$94,334.36; operating expenses, \$66,279.85. Total amount of electricity generated, 1,734,604 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 234 kw.; connected load, commercial lights, 1,032 kw.; power, 419 kw.; total, 1,685 kw. Meters, 9,059 amperes; service transformers, 654 kw. capacity. Electricity generated by steam power. Boiler, h. p., 1,840. Engine, h. p., 1,450. Generator capacity, 1,605 kw.

Rates charged.—For commercial service, flat rates: arc service, \$5 per month, 6 days in the week; 50c. per night for intermittent service. Incandescent service, 65c. per month, 8 c. p. l.; 85c., 16 c. p. l.; \$1.50, 32 c. p. l. Rates for metered arc and incandescent service, 15c. per kw. h. for first hour burning, 8c. per kw. h. thereafter. Stores in business district, 8c. per kw. h., with discount of 10 per cent. Rates for metered power service, 10c. per kw. h., with discounts 10 per cent. to 50 per cent. For public service: arc street lighting, number of arc lamps, open, 406; enclosed, 26 c. p., 2,000; schedule (352 lamps) from dark to 1 a. m.

(80 lamps) from dark to dawn; price per lamp per year, \$68; incandescent street lighting, number of incandescent street lamps, 47, c. p. 65; schedule, dark to 1 A. M.; price per lamp per year, \$34.

AURORA.

(Population, 500.)

Aurora Electric Light Company; name of owner, N. L. Zabriskie. Supplies electricity.

Operating data.—Motive power, steam.

Financial data.—Construction and equipment, \$29,172.54; number of consumers, 32.

Rates charged.—Commercial service: lighting, 15c. per kw. h. Public service: street lighting, price per lamp, \$13 a year.

AUSABLE CHASM.

(Population, 150.)

Keeseville Electric Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Keeseville.

AVON.

(Population, 1,724.)

Avon Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$18,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$6,296.34; operating expenses, \$5,134.15. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 18 kw.; connected load, commercial lights, 60 kw.; total, 78 kw. Meters (n. r.); service transformers (n. r.). Electricity generated by steam power. Boiler, h. p., 205; engine, h. p., 140; generator capacity, 150 kw.

Rates charged.—For commercial service, flat rates; incandescent service, 62½c. to 50c. per 16 c. p. l. per month. Rates for metered arc and incandescent service, 18c. to 8c. per kw. h., with 10 per cent. discount; meter rent, 15c. per month. Minimum charged, \$1 per month at 18c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 26; c. p., 2,000; schedule, midnight, moonlight, 1,320 hours per year; price per lamp per year, \$58; incandescent street lighting; number of in-

candescant street lamps, 31; c. p., 55; schedule, midnight, moonlight, 1,320 hours per year; price per lamp per year, \$15.

BABYLON.

(Population, 7,919.)

Babylon Electric Light Company; supplies electricity; also supplies town of Babylon and village of Lindenhurst.

Financial data.—Capitalization: common stock, \$15,000; bond and mortgage outstanding, \$6,000; interest, 5 per cent.; amount, \$300. Dividends: rate, 9 per cent.; total, \$1,350. Balance sheet, June 30, 1906. Assets: construction and equipment account, \$45,440; total assets, \$58,511.91; liabilities, capital account, \$21,000; total (exclusive of profit and loss account), \$27,724.74. Profit and loss surplus, \$30,789.17.

Operating data.—Gross earnings from operation, \$17,006.32; operating expenses, \$9,887.61. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.); total (n. r.). Meters (n. r.); service transformers, 196.6 kw. capacity. Electricity generated by steam power. Boiler, h. p., 300; engine, h. p., 365; generator capacity, 275 kw.

Rates charged.—For commercial service, flat rates; incandescent service, 25c. to 18c. per week, 16 c. p. l. Rates for metered arc and incandescent service, 20c. to 9c. per kw. h., based on average use each day for a period of 30 days. For public service, arc street lighting: number of arc lamps enclosed, 2; c. p., 1,200; schedule (n. r.); hours per year (n. r.); price per lamp per year (n. r.); incandescent street lighting, number of incandescent street lamps, 76; c. p., 25; schedule, moonlight; 2 A. M., also 23, c. p., 16; schedule all night: price per 25 c. p. lamp per year, \$18; price per 16 c. p. per year, \$16.

BAINBRIDGE.

(Population, 1,113.)

Standard Light, Heat and Power Company; supplies electricity.

Rates charged.—For public service: arc street lighting; number of arc lamps enclosed, 22; c. p., 2,000; schedule, from twilight to 1 A. M. each night; price per lamp per annum, \$70; one lamp free.

Remarks.—For financial and operating data and rates charges, see Unadilla.

Bainbridge Gas Co., gasolene gas.

Financial data.—Capitalization: common stock issued, \$3,000; bonds outstanding, none; dividends, rate 5 per cent.; amount, \$150.

Operating data.—Gross earnings from operation, \$820.00; operating expenses, \$664.30; daily capacity, 500 lights: length of main, 2,900 feet.

Rates charged.—For commercial service, \$2 per 1,000 cubic feet; if more than 50,000 cubic feet per year, \$1.60.

BALDWINSVILLE.

(Population, 2,961.)

Seneca River Power Company; supplies electricity; also supplies Phoenix.

Financial data.—Capitalization: common stock, \$100,000; bonds outstanding, \$100,000; interest, 5 per cent.; amount, \$5,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$207,545.77; total assets, \$215,540.18. Liabilities: capital account, \$200,000; total, \$219,740.47. Profit and loss deficiency, \$4,200.29.

Operating data.—Gross earnings from operation, \$11,044.14; operating expenses, \$6,282.85. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 1,000 amperes; service transformers, 181.5 kw. capacity. Electricity generated by water and steam power; boiler, h. p., 90; engine, h. p., 75; water wheel, h. p., 225; generator capacity, 120 kw.

Rates charged.—For commercial service: rates for metered incandescent service, 12c. per kw. h., discount, 2c.; rates for metered arc service, 9 per kw. h., discount, 2c.; minimum charge 75c. per month. Rates for metered power service, 6c. per kw. h., discount, 1c.; minimum, \$1 per month. For public service in Baldwinsville: number of arc lamps enclosed, 27; schedule, all night; 4,000 hours per year; price per lamp per annum, \$90. Incandescent street lighting: number of incandescent street lamps, 60; c. p., 16; schedule, all night; 4,000 hours per year; price per lamp per annum, \$16.

Remarks.— For further rates charged for public service, see **Phoenix**.

Baldwinsville Light and Heat Company; supplies natural gas.

Financial data.— Capitalization: common stock issued, \$100,000; bonds outstanding, none; dividends, rate 2 per cent.; amount, \$2,000.

Operating data.— Gross earnings from operation, \$11,068; operating expenses (n. r.); number of wells operating, 17; gas sold, 23,136,000 cubic feet; miles of main, 7 miles, 586 feet.

Rates charged.— For commercial service: lighting and fuel, 50c.

BALDWINS.

(Population, 1,500.)

Nassau and Suffolk Lighting Company; kind of gas, water.

Remarks.— For financial and operating data and rates charged for commercial service, see **Hempstead**.

Nassau Light and Power Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see **Roslyn**.

BALLSTON SPA.

(Population, 4,131.)

Ballston Spa Light and Power Company; supplies oil gas and electricity.

Financial data.— Capitalization: common stock issued, \$35,000; bonds outstanding, \$35,000; interest, rate 6 per cent.; amount, \$2,100; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$107,274.34; total assets, \$76,772.20. Liabilities: capital account, \$70,000; total (exclusive of profit and loss account), \$70,175.20. Profit and loss: surplus, \$6,597. Capitalization per mile of main (n. r.). Construction account per mile of main (n. r.).

Operating data — Gas.— Gross earnings from operation, \$682.75; operating expenses, \$2,272.14; gas produced (n. r.); gas sold, 273,100 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.); number of meters in service, 75; miles of main (n. r.); gas sold per capita (n. r.); gas sold per consumer (n. r.); gas sold per mile of main (n. r.); number of consumers per mile of main (n. r.).

Operating data — Electric.— Gross earnings from operation, \$23,514.61; operating expenses, \$13,665.04; total amount of electricity generated (n. r.); amount sold,, 408,821 kw. h. Amount unaccounted for (n. r.) Connected load, street lights (n. r.); commercial lights, 308 kw.; power, 372 kw.; total, 680 kw.; meters, 4,080 amperes. Service transformers, 620 kw. capacity. Current purchased.

Rates charged — Gas.— For commercial service; lighting, \$2.50. No public service.

Rates charged — Electric.— For commercial service: incandescent service, flat rates, 75c. per month per 16 c. p. l.; rates charged for metered arc and incandescent service, 12½c. per kw. h.; discount, 10 per cent.; rates charged for power service, 4½c. per kw. h., for 1 h. p., and sliding scale to 1½c. per kw. h., for 50 h. p.; minimum charge, \$1 per h. p. For public service: incandescent street lighting, number of incandescent street lamps, 218; c. p. 25; schedule, from one-half hour after sunset until one hour before sunrise; 3,900 hours per year; price per lamp per annum, \$18.

Remarks.— Gas making was discontinued by this company November, 1906.

BATAVIA.

(Population, 12,000.)

The Batavia Light and Power Company; supplies water gas and electricity.

Financial data.— Capitalization: common stock issued, \$80,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$78,813.22; total assets, \$81,975.10. Liabilities: capital account, \$80,000; total, \$83,076.91; profit and loss, deficit, \$1,101.81. Capitalization per mile of main (n. r.). Construction account per mile of main (n. r.).

Operating data — Gas.— Gross earnings from operation, \$5,241.92; operating expenses, \$8,344.56; gas produced (n. r.); gas sold, 5,517,000 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.); number of meters in service, 260; miles of main, 7 miles, 2,040 feet; gas sold per capita, 459 cubic feet; gas sold per consumer, 21,219 cubic feet; gas sold per mile of main, 745,540 cubic feet; number of consumers per mile of main, 35.

Operating data — Electric.— Gross earnings from operation, \$9,568.98; operating expenses, \$9,689.69. Total amount of elec-

tricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: street lights, 35 kw.; commercial lights, 75 kw.; power, 25 kw.; total, 135 kw. Meters, 2,430 amperes; service transformers, 150 kw. capacity. Electricity generated by steam power: boiler h. p., 200; engine h. p., 135 generator capacity, 170 kw.

Rates charged — Gas.— For commercial service: lighting, \$1 gross, 95c. net; fuel, same. No public service.

Rates charged — Electric.— For commercial service: rates for metered arc and incandescent service, 12c. to 7½c. per kw. h.; discount, 5 per cent.; rates for metered power service, 9c. to 6c. per kw. h.; 5 per cent. discount. No public service.

Remarks.— Construction and equipment account from January 1, 1906, to June 30, 1906.

The Alden-Batavia Natural Gas Company; supplies natural gas in villages of Batavia and Alden.

Financial data.— Capitalization: common stock issued, \$300,000; bonds outstanding, none; dividends, rate 15 per cent.; amount, \$45,000.

Operating data.— Gross earnings from operation, \$96,070.16; operating expenses, \$24,004.92. Number of wells operating, 44. Gas sold (n. r.). Miles of main, 37 miles 1,560 feet.

Rates charged.— For commercial service: lighting, 85c. gross; fuel, 50c. gross; minimum charges, 27c.

BATH.

(Population, 7,000.)

Bath Electric and Gas Light Company; supplies coal gas and electricity.

Financial data.— Capitalization: common stock issued, \$100,000; bonds outstanding, \$100,000; interest, rates, 5 and 5½ per cent.; amount, \$4,130; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$109,469.43; total assets, \$112,639.68. Liabilities: capital account, \$200,000; total liabilities, \$206,571.25; profit and loss, deficit, \$93,931.57. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating Data — Gas.— Gross earnings from operation, \$8,116.82; operating expenses, \$5,976. Gas produced, 5,996,312 cubic feet; gas sold, 4,713,800 cubic feet; gas used by company,

95,200 cubic feet; gas unaccounted for, 1,282,512 cubic feet; percentage of gas unaccounted for, 21.4. Number of meters in service, 261. Miles of main, 4 miles 1,305 feet. Gas sold per capita, 673 cubic feet; gas sold per consumer, 17,923 cubic feet; gas sold per mile of main, 1,122,000 cubic feet. Number of consumers per mile of main, 65. Residuals: coke, 405 net tons; tar, 4,811 gals.

Operating data — Electric.—Gross earnings from operation, \$9,813.71; operating expenses, \$7,689.57. Total amount of electricity generated (n. r.). Amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters, 1,525 amperes; service transformers, 104 kw. capacity. Electricity generated by water and steam power: boiler, h. p., 225; engine, h. p., 325; water wheels, h. p., 222; generator capacity, 237½ kw.

Rates charged — Gas.—For commercial service: lighting, \$2, residences; stores and churches, \$1.50; fuel and light, \$1.50; power, \$1. No public service.

Rates charged — Electric.—For commercial service: rate for metered arc and incandescent service, 18c. to 10c. per kw. h. For public service, arc street lighting: number of arc lamps, open, 72, c. p. 1,200; schedule, all night, every night, 4,000 hours per year; price per lamp per annum, \$69.44; incandescent street lighting: number of incandescent street lamps, 10; c. p., 25; schedule, all night, every night, 4,000 hours per year, free of charge.

BAY CREST.

Huntington Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Huntington.

BAYPORT.

The Sayville Electric Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Sayville.

BAY SHORE.

(Population, 7,800.)

The Suffolk Gas and Electric Light Company; supplies water gas and electricity in village of Bay Shore, and gas in villages of Islip and East Islip; total population, 7,800, estimated.

Financial data.—Capitalization: common stock issued, \$200,000; bonds outstanding, \$160,000; interest, rate, 5 per cent.; amount, \$8,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$387,975.43; total assets, \$390,561.74. Liabilities, capital account, \$360,000; total (exclusive of profit and loss account), \$366,033.33; profit and loss surplus, \$24,528.01; capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data.—*Gas.*—Gross earnings from operation, \$26,944.87; operating expenses, \$17,808.46. Gas produced, 22,226,000 cubic feet; gas sold, 13,929,000 cubic feet; gas used by company, 116,900 cubic feet; gas unaccounted for, 1,584,000 cubic feet; percentage of gas unaccounted for, 7.1. Number of meters in service, 1,000. Miles of main, 27 miles 3,698 feet. Gas sold per capita, 1,786 cubic feet; gas sold per consumer, 17,565 cubic feet; gas sold per mile of main, 631,266 cubic feet; number of consumers per mile of main, 40.

Operating data.—*Electric.*—Gross earnings from operation, \$4,302.24; operating expenses, \$1,791.41; total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: street lights, none; commercial lights 58 kw.; power, none; total, 58 kw. Meters, 2,625 amperes; service transformers, 301 kw. capacity. Electricity generated by gas power. Engine, h. p., 125; generator capacity, 40.5 kw.

Rates charged.—*Gas.*—For commercial service: lighting, \$2 gross, \$1.90 net; fuel, \$1.50 gross, \$1.40 net; both light and fuel on same meter, \$1.75. For public service: number of open flame lamps, 169, 4,000 hours per year; price per lamp per annum, \$20; public buildings, \$1.90.

Rates charged.—*Electric.*—For commercial service, rates for metered incandescent service, 20c. per kw. h.; discount, 10 per cent. For public service; incandescent street lighting: number of incandescent street lamps, 116; c. p., 25; schedule, 15 minutes after sunset to 45 minutes before sunrise, 4,000 hours per year; price per lamp per annum, \$18.

BAYVILLE.

Nassau Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Roslyn.

BEDFORD.

(Population, 4,759.)

Westchester Lighting Company; supplies electricity.*Remarks.*—For financial and operating data and rates charged for electric service, see Mount Vernon.**BELFAST.**

(Population, 800.)

Producers' Gas Company; supplies natural gas.*Remarks.*—For financial and operating data and rates charged, see Olean.**BELLPORT.**

(Population, 800.)

Bellport Lighting Company; acetylene gas.*Financial data.*—Capitalization: common stock issued, \$1,550; bonds outstanding, none; dividends, none.*Operating data.*—Gross earnings from operation (October 31 to June 30), \$469.21; operating expenses, \$552; daily capacity (n. r.); length of main (n. r.).*Rates charged.*—For commercial service (n. r.).**BELMONT.**

(Population, 1,207.)

Producers' Gas Company; supplies natural gas.*Remarks.*—For financial and operating data and rates charged, see Olean.**BELMONT (Franklin Co.).**

(Population, 150.)

Chasm Power Company; supplies electricity.*Remarks.*—For financial and operating data and rates charged for commercial service of this company, see Chateaugay.**BINGHAMTON.**

(Population, 42,036.)

Binghamton Gas Works; kind of gas, coal and water; also supplies Lestershire.*Financial data.*—Capitalization: common stock issued, \$750,000; bonds outstanding, \$775,000; interest, rate 5 per cent.; amount, \$39,625; dividends, rate $2\frac{1}{2}$ per cent.; amount, \$18,-

141.20; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,556,411.15; total assets, \$1,618,759.11. Liabilities: capital account, \$1,525,000; total (exclusive of profit and loss account), \$1,593,194.30; profit and loss, surplus, \$15,948.27; capitalization per mile of main, \$33,000; construction account per mile of main, \$33,327.

Operating data.—Gross earnings from operation, \$170,713.93; operating expenses, \$105,833.96. Gas produced, 154,860,200 cubic feet; gas sold, 137,250,300 cubic feet; gas used by company, 2,439,300 cubic feet; gas unaccounted for, 15,211,300 cubic feet; percentage of gas unaccounted for, 9.4. Number of meters in service, 7,097. Miles of main, 46 miles 4,183 feet. Gas sold per capita, 2,810 cubic feet; gas sold per consumer, 19,596 cubic feet; gas sold per mile of main, 3,000,000 cubic feet; number of consumers per mile of main, 151. Residuals: coke, 1,408 net tons; tar, 30,000 gallons; ammoniacal liquor, 3,982 gallons.

Rates charged.—For commercial service: lighting, \$1.50 gross, \$1.25 net; for fuel, gross, \$1.50; also optional rate of 63c. per 1,000 cubic feet net, plus a fixed charge depending on maximum instantaneous demand. For public service: public buildings, gross, \$1.10; net, \$1.

Binghamton Light, Heat and Power Company; also supplies Lestershire and Port Dickinson.

Financial data.—Capitalization: common stock, \$500,000; preferred stock, \$121,400; bonds outstanding, \$400,000; interest, 5 per cent.; amount, \$20,000; dividends, rate 6 per cent. on preferred stock; total, \$7,284; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,165,215.19; total assets, \$1,206,616.23. Liabilities: capital account, \$1,021,400; total (exclusive of profit and loss account), \$1,182,103.20; profit and loss, surplus, \$24,513.03.

Operating data.—Gross earnings from operation, \$121,541.51; operating expenses, \$69,652.25. Total amount of electricity generated, 2,800,000 kw. h.; amount sold, 2,240,000 kw. h.; amount unaccounted for, 560,000 kw. h., equals 20 per cent. Connected load, street lights, 487 kw.; connected load, commercial lights, 1,370 kw.; power, 670 kw.; total, 2,527 kw. Meters, 13,513 amperes; service transformers, 948.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 1,125; engine, h. p., 2,220; generator capacity, 2,810 kw.

Rates charged.— For commercial service, flat rates; arc service, \$3 per month, sundown until 11 P. M.; discount, 50c. Rates for metered arc and incandescent service, 16c. per kw. h.; discount 2c.; also contract rates. Rates for metered power service, 10c. per kw. h.; discount, 2c.; also contract rates according to consumption (retail rates), and according to average daily use and size of installation (wholesale). For public service in Binghamton: arc street lighting, number of 6.6 ampere arc lights, enclosed, 381; schedule, sundown to sunrise, 4,000 hours per year; price per lamp per night, 23c. (\$83.95 per annum). Incandescent street lighting: number of incandescent street lights, 396, not rated in c. p.; schedule, sundown to sunrise, 4,000 hours per year; price per lamp per year, \$21.25.

Remarks.— For further rates charged for public service, see Lestershire and Port Dickinson.

BLACK RIVER.

(Population, 969.)

Jefferson Paper Company; name of manager, E. S. Fox; supplies electricity.

Motive power, water; construction and equipment (n. r.); number of consumers (n. r.); rates charged (n. r.).

BLOOMING GROVE.

Orange and Rockland Electric Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Monroe.

BOARDMANVILLE.

(Population, 801.)

Producers Gas Company; supplies natural gas.

Remarks.— For financial and operating data and rates charged, see Olean.

BOLIVAR.

(Population, 1,368.)

Empire Gas and Fuel Company Limited; supplies natural gas.

Remarks.— For financial and operating data and rates charged, see Wellsville.

BOONVILLE.

(Population 1784.)

Supplied by municipal electric plant. Service furnished, public and commercial. Date of beginning operation, January 1, 1904.

Financial data.— Total assessed valuation of real estate in village, \$536,900; bonds, authorized, \$45,000; issued, \$45,000; interest, rate 3.5 per cent. Appropriation since June 30, 1905, for street lighting, \$2,000. Construction and equipment, \$54,764.04.

Operating data.— Gross earnings from operation, \$7,966.54; operating expenses, \$3,549.62; net income \$2,544.98. Total kw. h. sold, 115,000; number of consumers, 260.

Rates charged.— For commercial service: under 1,500 kw. h., 7c. per kw. h.; between 1,500 and 2,000, 6½c.; above 5,000, 5½c.; discount, 1c.

BOWMANVILLE.

(Population, 200.)

Lancaster-Depew Natural Gas Company; supplies natural gas.

Remarks.— For financial and operating data and rates charged, see Lancaster.

BRASHER FALLS.

(Population, 1,000.)

(Also supplies Winthrop.)

Individual Plant; Name of owner, B. A. Babcock. Supplies electricity. Motive power, water. Construction and equipment, \$10,000 (estimated). Number of consumers, 50.

Rates charged.— Commercial service: lighting, flat rate, \$3 per 16 c. p. lamp per year; meter rate, 8c per kw h.

BRIARCLIFF MANOR.

(Population, 417.)

Northern Westchester Lighting Company; supplies electricity.

Rates charged — Electric.— For public service, incandescent street lighting: number of incandescent street lamps, 65, c. p., 25; schedule, all night, 4,000 hours per year; price per lamp per annum, \$23.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Ossining.

BRIGHTON.

(Population, 3,125.)

Rochester Railway and Light Company; supplies mixed coal and water gas and electricity.

Rates charged — Gas.— For commercial service, same rate as charged by this company in Rochester, see Rochester.

Rates charged — Electric.— For commercial service same rate as charged by this company in Rochester, see Rochester.

Remarks.— For financial and operating data and rates charged for commercial gas and electric service, see Rochester.

BROCKPORT.

(Population, 3,627.)

Brockport Gas Light Co. kind of gas, coal; also supplies towns of Sweden and Clarkson.

Financial data.— Capitalization: common stock issued, \$25,000; bonds outstanding, \$35,000; interest, rate 5 per cent., amount, \$1,750; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$64,311.81; total assets, \$66,900.26. Liabilities: capital account, \$60,000; total (exclusive of profit and loss account), \$64,617.16. Profit and loss: surplus, \$2,283.10. Capitalization per mile of main, \$10,000. Construction account per mile of main, \$10,718.

Operating data.— Gross earnings from operation, \$9,843.98; operating expenses, \$7,531.30; gas produced, 7,490,000 cubic feet; gas sold, 5,736,000 cubic feet; gas used by company, 15,000 cubic feet; gas unaccounted for, 1,739,000 cubic feet; percentage of gas unaccounted for, 23; number of meters in service, 430; miles of main, 6 miles, 202 feet; gas sold per capita, 1,581 cubic feet; gas sold per consumer, 12,640 cubic feet; gas sold per mile of main, 956,000 cubic feet; number of consumers per mile of main, 75; residuals, coke, 8,396 bushels, tar, 188 barrels.

Rates charged.— For commercial service: lighting, gross, \$1.60; net, \$1.50; for fuel, gross, \$1.60. Discount of 10c. for fuel.

Albion Power Company; supplies electricity.

Rates charged — Electric.— For public service: arc street lighting, number of arc lamps enclosed, 40; c. p., 1,200; schedule, dusk to 1 A. M.; 1,875 hours per year; price per lamp per annum, \$65. Incandescent street lighting: number of incandescent street lamps,

18; c. p., 16; schedule, all night, every night; 4,300 hours per year; price per lamp per annum, \$11. Arc schedule subject to intermission when moon is bright and one hour high.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Albion.

BROCTON.

(Population, 1,056.)

Brockton Gas & Fuel Company; supplies natural gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$10,000; bonds, none.

Operating data.—(n. r.).

Rates charged.—For commercial service: lighting, 30c.

Supplied by municipal electric plant. Service furnished public and commercial.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Bonds authorized, \$10,000; issued, \$10,000. Construction and equipment, \$15,000.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 10c. per kw. h.

BRONXVILLE.

(Population, 994.)

Westchester Lighting Company; supplies water gas and electricity.

Rates charged — Gas.—For commercial service: lighting and fuel, \$1.60.

Rates charged — Electric.—For public service: arc street lighting, number of arc lamps enclosed, 1; c. p., 1,200; New Yory city schedule, 3,950 hours per year, free; incandescent street lighting; number of incandescent street lamps, 87; c. p., 25; New York city schedule, 3,950 hours per year; price per lamp per annum, \$21.50.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

BROWNVILLE.

(Population, 865.)

Dexter Electric Light and Power Company, supplies electricity.

Rates charged.—Commercial service, lighting meter rate, 10c. per kw. h.; public service, arc lighting 20c. per night, dark till dawn.

Remarks.—For financial and operating data, see Dexter.

BUFFALO.

(Population, 376,587.)

Buffalo Gas Company; kind of gas, coal and water.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$7,000,000; preferred stock, \$1,713,000; bonds outstanding, \$5,805,000; dividends, none.

Operating data.—Gas sold, 556,000,000 cubic feet (estimated).

Rates charged.—For commercial service: lighting and fuel, \$1.20 gross, \$1 net. For public service: rates charged for open flame gas lamps, \$13.88½ per annum, including care; for Welsbach lights \$24.75 per annum, including care; 3,948.5 hours per year.

Buffalo General Electric Company; supplies electricity in Buffalo and town of West Seneca.

Financial data.—Capitalization: common stock \$2,977,500; bonds outstanding, \$2,375,000; interest, 5 per cent., amount, \$118,750; dividends, rate 5 per cent., total, \$145,487.50; balance sheet June 30, 1906. Assets: construction and equipment account, \$4,762,566.51; total assets, \$5,858,131.08. Liabilities: capital account, \$5,352,500; total (exclusive of profit and loss account), \$5,568,818.51. Profit and loss surplus, \$289,312.57.

Operating data.—Gross earnings from operation, \$826,833.07; operating expenses, \$443,251.39. Total amount of electricity generated, 16,758,305 kw. h.; amount sold, 14,932,943 kw. h.; amount unaccounted for 1,825,362 kw. h.; equals 10.89 per cent. Connected load, street lights, 1,520 kw.; connected load, commercial lights, 9,900 kw.; power, 3,365 kw.; total, 14,785 kw. Meters, 93,881 amperes; service transformers, 6,818.8 kw. capacity. Current purchased. Generator capacity, 7,748 kw.

Rates charged.—For commercial service, flat rates: arc ser-

vice 30c to 25c per lamp per night; incandescent service, a few customers at \$1 per 16 c. p. l. per month; rate for metered arc and incandescent service, 9c. to 4c. per kw. h.; net rate \$1 per month guaranteed; rate for metered power service, 6c. to 4c. per kw. h.; guarantee, according to h. p.; minimum, \$1 per month. For public service in Buffalo: arc street lighting, number of arc lamps, enclosed 2,871, c. p. 2,000; schedule, all night, 4,000 hours per year, price per lamp per year, \$75 (since June 1, 1906, \$56).

Remarks.—For further rates charged for public service, see West Seneca.

The Cataract Power and Conduit Company; supplies electricity.

Financial data.—Capitalization: common stock, \$2,000,000; bonds outstanding, \$900,000; interest, 5 per cent., amount, \$45,000; dividends, rate, 5 per cent.; amount, \$100,000; balance sheet, June 30, 1906. Assets: construction and equipment account, \$3,093,110.27; total assets, \$3,408,264.32. Liabilities: capital account, \$2,900,000; total liabilities (exclusive of profit and loss account), \$3,023,645.32. Profit and loss, surplus, \$384.619.

Operating data.—Gross earnings from operation, \$728,194.36; operating expenses, \$457,094.80. Total amount of electricity purchased, 104,725,500 kw. h.; amount sold, 101,614,065 kw. h.; amount unaccounted for, 3,111,435 kw. h., equals 3 per cent. Connected load: commercial lights, 1,315 kw.; power, 37,960 kw.; total, 39,275 kw. Meters, 52,819 amperes; service transformers, 301.8 kw. capacity. Current purchased.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 9c. to 4c. per kw. h.; rates for metered power service, 2c. to .0064c. for kw. h.; also service charge \$1 per kw. of maximum use. No public service.

The Buffalo Natural Gas Fuel Company; supplies natural gas.

(No report has been received from this company.)

North Buffalo Natural Gas Fuel Co.; supplies natural gas adjacent to North Main street.

Financial data.—Capitalization, common stock issued \$2,000; bonds outstanding, none.

Remarks.—No further information furnished.

BURKE.

(Population, 200.)

Chasm Power Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service of this company, see Chateaugay.

CALEDONIA.

(Population, 1,221.)

Caledonia Natural Gas Co.; supplies natural gas.

Financial data.— Capitalization: common stock issued, \$10,000; bonds outstanding, none; dividends, none.

Operating data.— Gross earnings from operation, \$3,781.41; operating expenses, \$3,479.83. Number of wells operating (n. r.); gas sold, 712,082 cubic feet. Miles of main, 2 miles, 159 feet.

Rates charged.— For commercial service: lighting and fuel, 80c., with 10 to 30 per cent. discount for prompt payment. For public service: lighting public buildings, 25c. Number of street lamps 40 (owned by village). Price per lamp, 1c. per night.

CAMBRIDGE.

(Population, 1,900.)

Consolidated Electric Company; supplies electricity.

Rates charged.— For public service: incandescent street lighting, number of incandescent street lamps 123, c. p. 25; schedule all night, price per lamp per annum \$12.

Remarks.— For financial and operating data and price charged for commercial service, see Greenwich.

CAMDEN.

(Population, 2,420.)

Supplied by. Municipal Electric Plant.

(No report has been received from this plant since it commenced operations. The following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.— Bonds authorized, \$40,000; construction and equipment, \$40,000.

Operating data.— Electricity generated by steam power; fuel, oil.

Public service.— Arc street lighting, number of arc lamps enclosed 75, c. p. 1,000.

CANAJOHARIE.

(Population, 2,224.)

Montgomery Electric Light and Power Company; supplies electricity; also supplies Palatine.

Financial data.—Capitalization: common stock, \$21,000; bonds outstanding, \$25,000; interest, 5 per cent.; amount, \$1,248; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$27,931.12; total assets, \$38,855.62. Liabilities: capital account, \$46,000; total, \$48,604.17; profit and loss, deficiency, \$9,748.55.

Operating data.—Gross earnings from operation, \$13,276.24; operating expenses, \$11,107.95. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 30 kw.; connected load, commercial lights, 100 kw.; power, 75 kw.; total, 205 kw. Meters, 280 amperes; service transformers, 150 kw. capacity. Current purchased.

Rates charged.—For commercial service, flat rates: arc service, \$5 per month per 2,000 c. p. lamp; incandescent service, 45c. for first 6, 16 c. p. lamps; 40c. for first 12, and 37½c. for first 24. Rates for metered arc and incandescent service, 10c. per kw. h.; rates for power, \$30 per h. p., 10-hour service. For public service in Canajoharie: arc street lighting, number of arc lamps, enclosed, 42; c. p., 2,000; schedule, all night every night, 3,980 hours per year; price per lamp, per annum, \$66.

Remarks.—For further rates charged for public service, see Palatine and towns of Canajoharie and Palatine.

CANAJOHARIE AND PALATINE, Towns of.

Montgomery Electric Light and Power Company.

Rates charged.—For public service: arc street lighting, number of arc lamps, enclosed, 2; c. p., 2,000; schedule, all night every night, 3,980 hours; price per lamp per annum, \$72.

Remarks.—For financial and operating data and rates charged for commercial service, see Canajoharie.

CANANDAIGUA.

(Population, 7,332.)

Canandaigua Gas Light Company; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$50,000; bonds outstanding, none; dividends, none; balance sheet, June 30,

1906. Assets: construction and equipment account, \$54,353.82; total assets, \$57,430.07. Liabilities, capital account, \$50,000; total (exclusive of profit and loss account), \$57,318.25; profit and loss, surplus, \$111.82; capitalization per mile of main, \$5,882; construction account per mile of main, \$6,394.

Operating data.—Gross earnings from operations, \$9,491.68; operating expenses, \$8,841.86; gas produced, 7,665,900 cubic feet; gas sold, 6,415,000 cubic feet; gas used by company (n. r.); gas unaccounted for, 1,357,300 cubic feet, equals 17 per cent.; number of meters in service, 484; miles of main, 8 miles, 2,718 feet; gas sold per capita, 842 cubic feet; gas sold per consumer, 17,281 cubic feet; gas sold per mile of main, 788,575 cubic feet; number of consumers per mile of main, 43; residuals (n. r.); tar (n. r.); ammoniacal liquor (n. r.).

Rates charged.—For commercial service: lighting, \$1.50; fuel, \$1.50. No public service.

Ontario Light and Traction Company; also supplies Shortsville and Manchester.

Financial data.—Capitalization: common stock, \$100,000; bonds outstanding, \$225,000; interest on \$40,000, $3\frac{1}{2}$ per cent.; on \$185,000, $3\frac{1}{2}$ per cent. and 6 per cent; amount, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$345,606.56; total assets, \$392,852.41. Liabilities: capital account, \$289,000; total (exclusive of profit and loss account), \$390,206.51; profit and loss, surplus, \$2,645.90.

Operating data.—Gross earnings from operation, \$35,602.53; operating expenses, \$34,795.25. Total amount of electricity generated, 726,070 kw. h.; amount sold, 519,969 kw. h.; amount unaccounted for, 206,091 kw. h., equals 39 per cent. Connected load, street lights, 52.5 kw.; connected load, commercial lights, 400 kw.; power, 17 kw.; total, 469.5 kw. Meters, 5,010 amperes; service transformers, 336.5 kw. capacity. Electricity generated by water power, steam auxiliary. Boiler, h. p., 400; engine, h. p., 330; water wheel, h. p., 275; generator capacity, 185.5.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 11c. per kw. h.; net, 84c. per month; discount, 1c., also additional discounts of 10 per cent. to 50 per cent., based on consumption; rates for metered power service, 11c. per kw. h.; minimum, \$1 per month, net; discount, 1c., and also additional discounts of 20 per cent. to 50 per cent., based on consumption. For public service in Canandaigua: arc street lighting,

number of arc lamps, open, 105; c. p., 2,000; schedule, all night every night, 4,000 hours per year; price per lamp per annum, \$65.

Remarks.—For further rates charged for public service, see Shortsville and Manchester.

Individual Plant, name of owner, J. K. Rush; supplies acetylene gas.

Construction and equipment (n. r.); number of cubic feet sold (n. r.); rates charged (n. r.).

CANASERAGA.

(Population, 600.)

Canaseraga Gas Company; supplies gasoline gas.

Construction and equipment, \$2,500; number of cubic feet sold, 633,000.

Rates charged.—Commercial service, lighting from \$1.50 to \$2.25 per 1,000 cubic feet.

CANASTOTA.

(Population, 3,244.)

Madison County Gas and Electric Company; supplies electricity.

Rates charged.—*Electric.*—For public service: arc street lighting, number of arc lamps, enclosed, 46; c. p., 1,200; schedule, moonlight; incandescent street lighting: number of incandescent street lamps, 78; c. p., 16; price per annum for arc and incandescent lamps, \$3,690.84 gross.

Remarks.—For financial and operating data and rates charged for commercial service, see Oneida.

CANDOR.

(Population, 850.)

Eureka Gas Company; supplies acetylene gas.

Construction and equipment, \$9,179; number of cubic feet sold, 70,500.

Rates charged.—Commercial service: lighting and fuel, \$12.50 per 1,000 cubic feet; public service: street lighting, price per lamp, \$14.

(Small portion of.)

Wands Glove Company, Partnership; supplies gasoline gas.

Financial data.—Construction and equipment, \$1,768.47; number of feet sold (n. r.).

Rates charged.—Commercial service, lighting and fuel, \$2 per 1,000 cubic feet.

CANISTEO.

(Population, 2,500.)

Canisteo Gas Co.; supplies natural gas in Canisteo and Crittenden.

Financial data.—Capitalization: common stock issued, \$25,000; bonds outstanding, \$19,000; interest, rate 5 per cent.; amount, \$1,050; dividends, none.

Operating data.—Gross earnings from operation, \$5,865.29; operating expenses, \$2,753.30; number of wells operating (n. r.); gas sold (n. r.); miles of main, 9 miles, 286 feet.

Rates charged.—For commercial service: lighting and fuel, 30c., with discount of 10 per cent.; public service: street lighting, number of lamps 86; price (n. r.).

CANTON.

(Population, 3,500.)

Canton Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$18,000; bonds, none; dividends, rate 10 per cent.; amount, \$1,799.05; balance sheet, June 30, 1906. Assets: construction and equipment account, \$24,000; total assets, \$29,667.67. Liabilities: capital account, \$18,000; total (exclusive of profit and loss account), \$19,885.97. Profit and loss: surplus, \$9,781.70.

Operating data.—Gross earnings from operation, \$9,686.25; operating expenses, \$7,673.35. Total amount of electricity generated, 29,540 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 18 kw.; connected load, commercial lights, 206 kw.; total 224 kw. Meters, 660 amperes; service transformers, 167.5 kw. capacity. Electricity generated by steam and water power: boiler, h. p., 150; engine, h. p., 150; water wheels, h. p., 105; generator capacity, 232 kw.

Rates charged.—For commercial service: flat rates, arc service, \$1 per week per lamp; incandescent service, 5c. per week, 4 c. p. l.; 10c., 10 c. p. l.; 15c., 16 c. p. l.; and 30c., 32 c. p. l. Rates for metered arc and incandescent service, 12c. per kw. h.; minimum, \$1 per month for residences. For public service, arc street lighting: number of arc lamps, open 42, c. p. 1,200; schedule, moonlight, 1,800 hours per year, price per lamp per annum, \$55. In-

candescant street lighting: number of incandescent street lamps, 12; c. p., 50; schedule all night; 4,000 hours per year; price per lamp per annum, \$27.50.

CAPE VINCENT.

(Population, 1,231.)

Supplied by municipal electric plant. Service furnished, public and commercial. Date of beginning operation (n. r.).

Financial data.—Total assessed valuation of real estate in village, \$600,000; bonds, authorized, \$10,000, issued, \$10,000; interest, rate 4 per cent. Appropriation since June 30, 1905, for street lighting, \$2,500. Construction and equipment, \$14,025.45.

Operating data.—Gross earnings from operation, \$1,988.77; operating expenses, \$3,396.67; deficit, \$1,407.90. Total kw. h. sold (n. r.); number of consumers, 76.

Rates charged.—For commercial service (n. r.); for public service, lighting public buildings, 10c. per kw. h.

CARMAN.

(Population, 200.)

Schenectady Illuminating Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Schenectady.

CARTHAGE.

(Population, 3,404.)

Carthage Electric Light and Power Company; supplies electricity. Also supplies West Carthage.

Financial data.—Capitalization: common stock, \$75,000; bonds and mortgages outstanding, \$55,000; interest, 5 per cent., amount, \$2,750; dividends, rate 10 per cent., amount, \$7,500; balance sheet, June 30, 1906. Assets: construction and equipment account, \$132,560.55; total assets, \$150,274.59. Liabilities: capital account, \$130,000; total liabilities (exclusive of profit and loss account), \$130,000. Profit and loss, surplus, \$20,274.59.

Operating data.—Gross earnings from operation, \$24,160.06; operating expenses, \$7,687.95. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 65 kw.; connected load, commercial lights, 155 kw.; power, 123 kw.; total, 343 kw. Meters, 1,072.5 amperes; service transformers, 265.75 kw. capacity. Electricity

generated by water power: water wheels, h. p., 650; generator capacity, 430 kw.

Rates charged.—For commercial service, flat rates: arc service, \$1 per week per lamp, stores and business places; incandescent service, 20c. to 15c. per week, 16 c. p. l.; large users, \$4 to \$3 per year per lamp. Rates for metered arc and incandescent service, 12c. per kw. h. For railway service, 6c. per kw. h., also 25c. per night for arcs, all night service; rates for power, \$50 to \$20 per h. p. For public service in Carthage: arc street lighting, number of arc lamps enclosed 47; c. p., 2,000; schedule, 1 A. M.; moon-light nights out; price per lamp per year, \$60.

Remarks.—For further rates charged for public service, see West Carthage.

CASTILE.

(Population, 1,001.)

Supplied by municipal electric plant. Service furnished, public and commercial. Date of beginning operation, 1903.

Financial data.—Total assessed valuation of real estate in village, \$390,337; bonds, authorized, \$10,500, issued, \$10,500; interest, rate 3.5 per cent.; appropriation since June 30, 1905, for street lighting, \$4,000; construction and equipment (n. r.).

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.); net income (n. r.). Total kw. h. sold (n. r.); number of consumers, 84.

Rates charged.—For commercial service: lighting, flat rate, 50c. per month; meter rates, 10c. to 12c. per kw. h.

CATSKILL.

(Population, 5,500.)

Catskill Illuminating & Power Co.; supplies coal gas and electricity in the village of Catskill and also electricity in part of town of Catskill.

Financial data.—Capitalization: common stock issued, \$65,000; bonds outstanding, \$77,000; interest, rate 5 and 6 per cent.; amount, \$3,970; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas \$50,697.77, electric \$124,603.66; total assets, \$189,968.68. Liabilities: capital account, \$130,000; total (exclusive of profit and loss account), \$172,862.44. Profit and loss, surplus, \$17,106.24. Capitalization per mile of main (n. r.). Construction account per mile of main, \$7,347.

Operating data — Gas.— Gross earnings from operation, \$17,018.65; operating expenses, \$9,909.76. Gas produced, 8,724,000 cubic feet; gas sold, 7,798,500 cubic feet; gas used by company, 103,600 cubic feet; gas unaccounted for, 821,900 cubic feet; percentage of gas unaccounted for, 9.4. Number of meters in service, 557. Miles of main, 6 miles 4,788 feet. Gas sold per capita, 1,471 cubic feet; gas sold per consumer, 14,000 cubic feet; gas sold per mile of main, 1,114,071 cubic feet. Number of consumers per mile of main, 80. Residuals: coke, 42,154 bushels; tar, 9,184 gallons.

Operating data — Electric.— Gross earnings from operation, \$22,040.75; operating expenses, \$17,196.17. Total amount of electricity generated, 581,500 kw. h.; amount sold, 447,302 kw. h.; amount unaccounted for, 134,198 kw. h., equal to 40 per cent. Connected load, street lights 50 kw.; commercial lights, 70 kw.; power, 76 kw.; total, 196 kw. Meters (n. r.); service transformers, 1,801 kw. capacity. Electricity generated by steam power: boiler, h. p., 800; engine, h. p., 755; generator capacity, 465 kw.

Rates charged — Gas.— For commercial service: lighting, \$2 gross, discount 25 per cent. to 5 per cent., depending on amount of bill; for fuel, \$2 gross; for lighting and fuel through one meter, October to April lighting rates, April to October at fuel rates. No public service.

Rates charged — Electric.— For commercial service: rates for metered arc and incandescent service, 17½c. per kw. h., bills of 50c., net; from 53c. to \$20, 12½ per cent. discount; \$20 to \$25, 25 per cent. discount; \$25 or over, 30 per cent.; \$60 or over, 40 per cent.; minimum, 50c. per month; rates for metered power service to small consumers a base rate of 10c per kw. h.; discounts 12½ per cent. to 37½ per cent.; large consumers, 3c. and 4c. per kw. h. net; street railways, 2½c. per kw. h. For public service, arc street lighting: number of arc lamps enclosed, 59; c. p. 1,200; schedule moonlight, an average of 22 nights per month; 1,623 hours per year; price per lamp per annum \$55; incandescent street lighting: number of incandescent street lamps 64, 62 of 25 c. p., two of 20 c. p.; schedule, moonlight, 1,623 hours per year, price per lamp per annum, \$17.50.

CATTARAUGUS.

(Population, 1,184.)

Cattaraugus Electric Light and Power Company; supplies electricity.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data. Capitalization: common stock, \$12,000; bonds outstanding, \$5,000; dividends, rate 5 per cent., amount \$600.

Operating data.—Electricity generated by water power, steam auxiliary.

Rates charged.—For commercial service, flat rates: incandescent service 35c. per month per 16 c. p. l. For public service: arc street lighting, number of arc lamps enclosed 25 c. p. 2,000, schedule, midnight, moonlight, price per lamp per annum, \$50.

CAYUGA.

Inter-Urban Gas Co.; kind of gas, coal.

Remarks.—For financial and operating data and rates charged, see Geneva.

CAYUGA LAKE PARK.

Inter-Urban Gas Co.; kind of gas, coal.

Remarks.—For financial and operating data and rates charged, see Geneva.

CAZENOVIA.

(Population, 1,940.)

The Cazenovia Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$22,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$40,540.56; total assets, \$42,131.68. Liabilities, capital account, \$22,000; total (exclusive of profit and loss account), \$35,079.13. Profit and loss, surplus, \$7,052 55.

Operating data.—Gross earnings from operation, \$6,641.73; operating expenses, \$6,712.39. Total amount of electricity generated (n. r.); amount sold, 37,114 kw. h. Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 1,000 amperes; service transformers, 88.5 kw. capacity. Electricity generated by steam and water power: boiler, h. p., 140; engine, h. p., 50; water wheel, h. p., 94; generator capacity, 187.5 kw.

Rates charged.—For commercial service, flat rates; incandescent service, 50c. per month per 16 c. p. l. (3 lamps maximum). Rate for metered arc and incandescent service, 10c. per kw. h.; rate for metered power service, 10c. per kw. h. No public service.

CEDARHURST.

Queens Borough Gas and Electric Company; supplies water gas and electricity.

Rates charged — Gas.—For commercial service: same rate as charged by this company in Borough of Queens, see New York City, Borough of Queens.

Rates charged — Electric.—For commercial service same rate as charged by this company in Borough of Queens, see New York City, Borough of Queens.

Remarks.—For financial and operating data, see New York City, Borough of Queens.

CELORON.

Jamestown Lighting and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Jamestown.

CENTERPORT.

(Population, 300.)

The Northport Electric Light Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Northport.

CERES.

Home Gas Co.; supplies natural gas.

Financial data.—Capitalization: common stock issued, \$10,000; bonds outstanding, none; dividends, rate 7 per cent.; amount, \$700.

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.); number of wells operating, none; gas sold (n. r.); miles of main, 1 mile. 472 feet.

Rates charged.—For commercial service: lighting and fuel, 22c., with discount of 2c. for prompt payment.

Remarks.—Dividend includes profit from business done in Pennsylvania.

CHADWICKS.

Utica Gas and Electric Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Utica and Town of New Hartford.

CHAMPLAIN.

(Population, 1,400.)

The Champlain Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$15,000; bonds outstanding, \$7,500; interest, 5 per cent.; amount, \$375; dividends, rate 4 per cent.; amount, \$600; balance sheet, June 30, 1906. Assets: construction and equipment account, \$18,000; total assets, \$18,180.48. Liabilities: capital account, \$18,000; total liabilities (exclusive of profit and loss account), \$18,000. Profit and loss, surplus, \$180.48.

Operating data.—Gross earnings from operation, \$2,972.11; operating expenses, \$1,901.42. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 575 amperes: service transformers, 52 kw. capacity. Electricity generated by water and gasolene engine power. Engine, h. p., 60. Water wheel, h. p., 100. Generator capacity (n. r.).

Rates charged.—For commercial service, flat rates: incandescent service, \$8 per year gross charge to customers whose bills by meter would not amount to that. Rate for metered arc and incandescent service, 6c. per kw. h. For public service: incandescent street lighting, number of incandescent street lamps, 80; c. p., 25; schedule, 1 a. m.; price per lamp per year, \$9.

Chappaqua.

Westchester Lighting Company; supplies electricity.

Rates charged—Electric.—For public service: incandescent street lighting, number of incandescent street lamps, 56; c. p., 20; New York city schedule, 3,950 hours per year; price per lamp per annum, \$20.

Remarks.—For financial and operating data and rates charged for commercial service, see Mount Vernon.

CHARLOTTE.

(Population, 834.)

Supplied by municipal electric plant; date of beginning operation, 1898.

Financial data.—Total assessed valuation of real estate in village, \$882,675; bonds authorized, \$16,000; issued, \$16,000; interest on \$10,000, $4\frac{1}{2}$ per cent.; on balance, $3\frac{1}{2}$ per cent. Appropriation since June 30, 1905, for street lighting, \$3,673.18; construction and equipment (n. r.).

Operating data.—Gross earnings from operation, \$1,124.52; operating expenses, \$4,863.30; net income, \$6,161.22. Total kw. h. sold, 132,631; number of consumers, 141.

Rates charged.—For commercial service, flat rates: arc service, 25c. per night; incandescent service, 60c. per month per 16 c. p. l.; rate for metered arc and incandescent service, 10c. and 8c. per kw. h., summer customers, 12 c. per kw. h.; discount, 2c. For public service, arc street lighting: number of arc lamps, open 50, c. p., 1,200; schedule, all night, five months; moonlight, seven months; price per lamp per year, \$67.50.

CHATEAUGAY.

(Population, 1,000.)

Chateaugay Electric Light & Power Company; supplies electricity; supplies village and vicinity.

Financial data.—Capitalization: common stock, \$6,000; bond and mortgage, \$3,000; dividends, none; balance sheet, June 30, 1906 (n. r.)

Operating data.—Gross earnings from operation, \$342.54; operating expenses, \$502. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by water power. Water wheel, h. p., 150; generator capacity (n. r.)

Rates charged.—For commercial service, flat rates: incandescent service, business places, 1c. per c. p. per month; residences, average, $\frac{3}{4}$ c. per month. No public service.

Chasm Power Company; supplies electricity; also supplies Burke and Belmont.

Financial data.—Capitalization: common stock, \$32,000; bonds outstanding, \$28,000; interest on \$20,000, 5 per cent.; on \$8,000, 6 per cent.; amount \$540; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$4,550; operating expenses, \$2,860. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers, 220 kw. capacity. Electricity generated by water power. Water wheel, h. p., 600; generator capacity, 380 kw.

Rates charged.—For commercial service, flat rates: incandescent service, business places, \$3 per annum per 16 c. p. l.; residences, \$2 per annum; rate for power service, \$15 per h. p. For public service: incandescent street lighting, number of incandescent street lamps, 65; c. p., 50; gross price per year, \$600.

CHATHAM.

(Population, 2,200.)

Chatham Electric Light, Heat and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$27,500; bonds outstanding, \$25,000; interest, 5 per cent.; amount, \$1,250; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$55,961.75; total assets, —. Liabilities: capital account, \$52,500; total, \$62,016.42.

Operating data.—Gross earnings from operation, \$9,766.51; operating expenses, \$7,125.09. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 3 kw.; connected load, commercial lights, 173 kw.; total, 176 kw. Meters (n. r.); service transformers (n. r.). Electricity generated by steam and water power. Boiler, h. p., 180; engine, h. p., 285; water wheel, h. p., 180; generator capacity, 75 kw.

Rates charged.—For commercial service, flat rates: arc service, \$4.50 per month, 4 ampere lamp; \$6.25 per month, 6 ampere lamp. Incandescent service, street service: \$1.08½ per month per 25 c. p. l.; residences, \$1 per month for first lamp, 20c. each for the next ten, balance at 15c. each. Rates for metered arc and incandescent service, 15c. per kw. h. for first 10 kw. h., balance, 7½c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed 7 (one, 4 amperes; six, 6 amperes); schedule, sunset to sunrise; number of hours, 3,300; price per 4 ampere lamp per year, \$70; 6 ampere lamp, \$85. Incandescent street lighting: number of incandescent street lamps, 115; c. p., 25;

schedule, dark to daylight; 3,000 hours per year; price per lamp per month, \$1.30.

CHESTER.

(Population, 1,205.)

Orange and Rockland Electric Company; supplies electricity.

Rates charged.—For public service: incandescent street lighting, number of incandescent street lamps, 69; c. p., 20; schedule, moonlight; price per lamp per month, \$1.25.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Monroe.

CHURCHVILLE.

(Population, 645.)

Churchville Light and Heating Company; supplies acetylene gas.

(No report has been received from this company.)

CITY ISLAND.

Westchester Lighting Company; supplies electricity.

Rates charged—*Electric.*—For public service: arc street lighting, number of arc lamps, enclosed, 17; c. p., 1,200; New York city schedule, 3,950 hours per year; price per lamp per annum, \$100.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

CINCINNATUS.

Cincinnati Gas Co.; gasolene gas.

Financial data.—Capitalization: common stock issued, \$1,400; bonds outstanding, none; dividends, rate 15 per cent.; amount, \$210.

Operating data.—Gross earnings from operation, \$802.68; operating expenses, \$515.97; daily capacity, 200 lights; length of main, 2,891 feet.

Rates charged.—For commercial service: lighting and fuel, \$2 per thousand cubic feet, with discount of 5 per cent. for prompt payment.

CLARENCE.

The Akron Natural Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged for commercial service, see Akron.

CLARKSTOWN.

Rockland Light and Power Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Nyack.

CLAYTON.

(Population, 1,918.)

Thousand Island Electric Light and Power Company, Ltd.; supplies electricity.

Financial data.— Capitalization: common stock, \$10,000; bonds outstanding, \$10,000; interest, 5 per cent.; amount, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.— Gross earnings from operation, \$6,553; operating expenses, \$4,160. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by steam power. Boiler, h. p., 150; engine, h. p., 200; generator capacity (n. r.).

Rates charged.— For commercial service, flat rates: incandescent service, 2½c. per lamp per night; balance, 2c. to ½c. per night. For public service: arc street lighting, number of arc lamps, enclosed, 28; c. p., 2,000; gross price, \$1,640.

CLIFTON PARK.

Schenectady Illuminating Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Schenectady.

CLIFTON SPRINGS.

(Population, 1,690.)

The Clifton Springs Sanitarium Company; supplies water gas; number of cubic feet sold, 179,440.

(NOTE.— This company supplies its own buildings only.)

Supplied by municipal electric plant; service furnished, public and commercial.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.— Bonds authorized, \$18,000; issued, \$18,000; construction and equipment account, \$22,000.

Operating data.—Electricity generated by steam power.

Rates charged.—For commercial service: rate for metered arc and incandescent service about 10c. per kw. h. For public service, arc street lighting: number of 6.6 ampere, enclosed arc lamps, 46; number of hours per year, 1,872; price charged, about 10c. per kw. h. Incandescent street lighting: number of incandescent street lamps, 3; c. p., 16; number of hours per year, 2,800; price charged, 10c. per kw. h.

CLINTON.

(Population, 1,315.)

Franklin Springs Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$5,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$5,090.30; operating expenses, \$5,206.10. Total amount of electricity generated (n. r.). The village of Clinton receives current from this company at the village line and distributes same over its own wires. Connected load (n. r.). Meters, none; service transformers, none. Electricity generated by steam power which is purchased; generator capacity, 100 kw.

Rates charged.—For commercial service (outside the village of Clinton), 10c. per kw. h. For public service, the village pays \$40 per lamp per year for 27 arc lights of 2,000 c. p.; also a specified price per kw. h. for current furnished to it and by it supplied to customers for incandescent service.

College Hill Electric Light Company; organized in the interest of Hamilton College.

(No report has been received from this company.)

Financial data.—Capitalization: common stock, \$5,000; bond and mortgage, \$3,000.

Supplied by municipal electric plant. Service furnished, public and commercial.

(No report has been received from this plant.)

Financial data.—Bonds outstanding, \$6,300; construction and equipment, \$7,368.20.

Operating data.—Current purchased from Franklin Springs Electric Light Company.

CLYDE.

(Population, 2,552.)

Wayne County Electric Company; supplies electricity.

Rates charged.— For public service, arc street lighting: number of arc lights enclosed, 52; c. p., 2,000; schedule, moonlight 1 A. M., about 1,600 hours per year; price per lamp per annum, \$60.

Remarks.— For financial and operating data and price charged for commercial lights, see Lyons.

COBLESKILL.

(Population, 2,158.)

The Courter Electric Company; supplies electricity.

Financial data.— Capitalization: common stock, \$15,000; bonds outstanding, \$15,000; interest, 6 per cent.; amount, \$354.92; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$18,607.69; total assets, \$19,892.45. Liabilities: capital account, \$20,000; total, \$20,150; profit and loss, deficiency, \$257.55.

Operating data.— Gross earnings from operation, \$6,050.17; operating expenses, \$2,868.98. Amount of electricity sold to meter rate customers, 19,588 kw. h. Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters 978 amperes; service transformers, 85.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 100; engine, h. p., 75; generator capacity, 55 kw.

Rates charged.— For commercial service, flat rates: incandescent service, 1, 16 c. p. l., \$9 per annum; 2, \$15; 3, \$20, with lower rates for increased service to eighteen, 16 c. p. l., \$100. Rates for metered arc and incandescent service, 15c. per kw. h., discount, 10 per cent. and 20 per cent. on bills exceeding \$60. For public service, incandescent street lighting: number of incandescent street lamps, 100; c. p., 25; hours per year, 2,555; price per lamp per annum, \$20.

COEYMANS.

(Population, 1,050.)

Upper Hudson Electric Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Cocksackie.

COHOES.

(Population, 23,683.)

Cohoes Gas Light Co.; supplies water gas and electricity in Cohoes and Waterford (North Side.)

Financial data.—Capitalization: common stock issued, \$50,000; bonds outstanding, none; dividends, rate 10 per cent.; amount, \$5,000; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$255,812.23; total assets, \$255,812.23. Liabilities: capital account, \$50,000; total (exclusive of profit and loss account), \$110,955.41. Profit and loss, surplus, \$144,856.82. Capitalization per mile of main (n. r.) Construction account per mile of main, \$8,618.

Operating data — Gas.—Gross earnings from operation, \$50,218.19; operating expenses, \$33,649.09. Gas produced, 44,189,000 cubic feet; gas sold, 35,867,000 cubic feet; gas used by company, 100,000 cubic feet; gas unaccounted for, 8,147,000 cubic feet; percentage of gas unaccounted for, 18. Number of meters in service, 1,007. Miles of main, 10 miles, 3,792 feet. Gas sold per capita, 1,400 cubic feet; gas sold per consumer, 15,000 cubic feet; gas sold per mile of main, 3,586,700 cubic feet. Number of consumers per mile of main, 215.

Operating data — Electric.—Gross earnings from operation, \$39,415.43; operating expenses, \$22,172.63. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 105 kw.; commercial lights, 192 kw.; power, 213 kw.; total, 510 kw. Meters, 6,900 amperes. Service transformers, 144.75 kw., capacity. Electricity generated by water power. Water wheels, h. p.; 850; generator capacity, 657 kw.

Rates charged — Gas.—For commercial service: lighting, \$1.37½ per thousand since May 1, 1906, previously, \$1.50 per thousand. No public service.

Rates charged — Electric.—For commercial service, flat rates: incandescent service, formerly \$1 per month per lamp — no new flat rates given. Rates for metered arc and incandescent service, 15c. per kw. h.; discount 35 per cent. and 50 per cent.; rates for metered power service 15c. per kw. h.; discount, 66 2-3 per cent. For public service in Cohoes, arc street lighting: number of arc lamps open, 175, c. p., 2,000; schedule, all night; 4,015 hours per year; price per lamp per annum, \$75.

Remarks.—For further rates charged for public service, see Waterford, North Side.

COLD SPRING (Putnam Co.).

(Population, 2,800.)

Cold Spring Light, Heat and Power Company; also supplies Nelsonville.

Financial data.—Capitalization: common stock, \$15,000; bonds, none; dividends, none; balance sheet June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$4,666.82; operating expenses, \$3,894.20. Total amount of electricity generated (n. r.); amount sold, 117,405 kw. h., estimated; amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights, (n. r.); power (n. r.). Meters (n. r.); service transformers, none. Electricity generated by steam power. Boiler, h. p., 100. Engine, h. p., 175. Generator capacity, 80 kw.

Rates charged.—For commercial service, flat rates: incandescent service, variable; business places \$1 per month, maximum; residences, 50c per month and upwards. Rates for metered arc and incandescent service 15c. per per kw. h. No public service in Cold Spring.

Remarks.—For rates charged for public service, see Nelsonville.

COLD SPRING (Suffolk Co.).

Huntington Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial and public service, see Huntington.

COLLINS.

(Population, 200.)

Boro Oil and Gas Company; supplies natural gas.

Financial data.—Capitalization: common stock issued (n. r.); bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.); total receipts from sales of gas, \$1,750; number of wells operating, 3; gas sold 7,000,000 cubic feet; miles of main, 2 miles, 116 feet.

Rates charged.—For commercial service, lighting and fuel, 25c.

COLONIE.

(Population, 7,845.)

Municipal Gas Company (Albany); supplies electricity.

Remarks.—For financial and operating data and rates charged, see Albany.

COOPERSTOWN.

(Population, 2,340.)

Cooperstown Gas Co.; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$6,150; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$10,417.86; total assets, \$11,467.29. Liabilities: capital account, \$6,150; total liabilities, \$11,740.52; profit and loss, deficiency, \$1,322.66; capitalization per mile of main, \$1,636; construction account per mile of main, \$2,815.

Operating data.—Gross earnings from operation, \$3,278.21; operating expenses, \$3,358.58; gas produced (n. r.); gas sold, 2,204,000 cubic feet; gas used by company, 20,000 cubic feet; gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.); number of meters in service, 140; miles of main, 3 miles, 4,004 feet; gas sold per capita, 98 cubic feet; gas sold per consumer, 17,000 cubic feet; gas sold per mile of main, 58,730 cubic feet; number of consumers per mile of main, 34.

Rates charged.—For commercial service: lighting, \$1.50; fuel, \$1.50.

Clinton Mills Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$10,000; bonds outstanding, \$20,000; interest, 5 per cent; amount, \$1,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$50,341.62; total assets, \$67,053.61. Liabilities: capital account, \$30,000; total (exclusive of profit and loss account), \$53,715.09. Profit and loss, surplus, \$13,338.52.

Operating data.—Gross earnings from operation, \$14,980.56; operating expenses, \$8,915.19. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 35 kw.; connected load, commercial lights, 100 kw.; power, 27 kw.; total, 162 kw. Meters, 2,672 amperes; service transformers, 4,570 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 200; engine, h. p., 160–200; water wheel, h. p., 320; generator capacity, 165 kw.

Rates charged.—For commercial service, flat rates: arc service, 1 light, \$65; 2, \$120; 3, \$150; rate for metered arc and incandescent service, 10c. to 8c. per kw. h. For public service, arc street

lighting: number of arc lamps enclosed, 46; schedule, dusk to daylight; price per lamp per year, \$70. Incandescent street lighting: number of incandescent street lamps, 9; c. p., 32; schedule, dusk to daylight; price per lamp per year, \$18.

CORFU.

(Population, 481.)

Corfu Gas Company; supplies natural gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$20,000; bonds, none; dividends, none.

Operating data.—Gas sold, 16,939,000 cubic feet.

Rates charged.—For commercial service: lighting and fuel, 30c. to 25½c.

CORINTH.

(Population, 2,800.)

Corinth Electric Light Company; name of owner, Warren Curtis, Jr.; supplies electricity.

Operating data.—Motive power (n. r.); construction and equipment (n. r.); number of consumers, 87.

Rates charged.—Commercial service lighting, flat rate: 50c. per month per 16 c. p. l.; meter rate, from 8c. to 6c. per kw. h., according to amount used. Public service, incandescent street lighting: \$21 per year per 25 c. p. l.

CORNING.

(Population, 14,000.)

Corning Gas and Electric Co.; supplies coal gas and electricity in city of Corning and electricity in town of Corning.

Financial data.—Capitalization: common stock issued, \$350,000; bonds outstanding, \$363,000; interest, rate 5 per cent.; amount, \$18,039.85; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$552,688.25; electric, \$190,861.56; total assets, \$793,071.21. Liabilities: capital account, \$750,000; total (exclusive of profit and loss account), \$778,712.65. Profit and loss, surplus, \$15,358.56. Capitalization per mile of main (n. r.); construction account per mile of main, \$60,734.

Operating data—Gas.—Gross earnings from operation, \$16,970.33; operating expenses, \$16,262.87; gas produced, 10,-

937,300 cubic feet; gas sold, 9,539,600 cubic feet; gas used by company (n. r.); gas unaccounted for, 1,399,000 cubic feet; percentage of gas unaccounted for, 12.7; number of meters in service, 253; miles of main, 9 miles, 762 feet; gas sold per capita, 714 cubic feet; gas sold per consumer, 31,780 cubic feet; gas sold per mile of main, 1,059,955 cubic feet; number of consumers per mile of main, 28. Residuals: coke, 801 net tons; tar, 14,184 gallons.

Operating data — Electric.—Gross earnings from operation, \$39,596.59; operating expenses, \$22,285.63; total amount of electricity generated, 1,362,308 kw. h.; amount sold, 1,132,479 kw. h.; amount unaccounted for, 229,829 kw. h., equal 16 per cent. Connected load, street lights, 85 kw.; commercial lights, 267 kw.; power, 383 kw.; total, 735 kw. Meters, 3,900 amperes; service transformers, 704 kw. capacity. Electricity generated by steam power. Boiler, h. p., 875; engine, h. p., 1,000; generator capacity, 440 kw.

Rates charged — Gas.—For commercial service: lighting, \$1.50 gross, \$1.40 net; fuel, \$1.50 gross. No public service.

Rates charged — Electric.—For commercial service: rates charged for metered arc and incandescent service, 12c. per kw., discount, 2c.; rates for metered power service, 6c. per kw. h., discount, 1c. For public service, arc street lighting: number of arc lamps, enclosed, 95; c. p., 2,000; schedule all night, every night; 4,000 hours per year; price per lamp per annum, \$80. Incandescent street lighting: number of incandescent street lamps, 1; c. p., 60; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$30.

Crystal City Gas Co.; supplies natural gas.

Financial data.—Capitalization: common stock issued, \$150,000; preferred stock issued, \$75,000; bonds outstanding, \$125,000; interest, rate 6 per cent.; amount, \$7,500; dividends, none.

Operating data.—Gross earnings from operation, \$48,664.85; operating expenses, \$39,897.38; number of wells operating (n. r.); gas sold, 188,464,800 cubic feet; miles of main, 23 miles, 3,702 feet.

Rates charged.—For commercial service: lighting and fuel, 30c., with discount of 10 per cent. Public service: lighting public buildings, free; street lighting, number of lamps, 38; price, 25c. per thousand cubic feet.

Potter Gas Company; supplies natural gas. See Addison.

CORNWALL.

(Population, 2,000.)

Hudson Counties Gas and Electric Company; supplies electricity; supplies village and town of Cornwall

Financial data.—Capitalization: common stock, \$20,000; bonds outstanding, \$100,000; interest, 5 per cent.; amount, \$3,250; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$207,416.10; total assets, \$217,345.28. Liabilities: capital account, \$200,000; total (exclusive of profit and loss account), \$216,203.68. Profit and loss, surplus, \$1,441.60.

Operating data.—Gross earnings from operation, \$12,631.94; operating expenses, \$8,008.57. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights, 238 kw. Meters (n. r.); service transformers, 172.5 kw. capacity. Electricity generated by steam power: boiler, h. p., 200; engine, h. p., 350; generator capacity, 178.5 kw.

Rates charged.—For commercial service, rates for metered arc and incandescent service: residences, 20c. to 11c. per kw. h.; business places, 10c. and 9c. per kw. h. For public service in town of Cornwall, incandescent street lighting: number of incandescent street lamps, 107, c. p., 25; all night, every night; 4,000 hours per annum; price per lamp per annum, \$20. For public service in village of Cornwall, incandescent street lighting: number of incandescent street lamps, 110, c. p., 25; schedule, moonlight every night; about 3,000 hours per year; price per lamp per annum, \$18.18.

CORTLAND.

(Population, 11,000.)

Cortland County Traction Company; supplies electricity; also supplies town of Homer and villages of McGraw and Little York.

Financial data.—Capitalization: common stock, \$320,000; bonds outstanding, \$500,000; interest on \$180,000, 4 per cent., on \$320,000, 5 per cent.; amount, \$7,040.84; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$861,154.66; total assets, \$883,285.18. Liabilities: capital account, \$820,000; total (exclusive of profit and loss account), \$872,744.33. Profit and loss, surplus, \$10,540.85.

Operating data.—Gross earnings from operation, \$33,004.55; operating expenses, \$23,423.14. Total amount of electricity gen-

erated, 444,419 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 7,098 amperes; service transformers, 444 kw. capacity. Electricity generated by steam power: boiler, h. p., 1,128; engine, h. p., 950; generator capacity, 510 kw.

Rates charged.— For commercial service, flat rates: arc service, \$6.90 per month (1 lamp); incandescent service (4 customers, \$1 per month; 2 customers, 60c; discount, 10 per cent.). Rate for metered arc and incandescent service, 11c. to 8c. per kw. h.; discount, 10 per cent.; minimum, 60c. per month. Rates for metered power service, 10c. to 2c. per kw. h.; discount, 10 per cent.; minimum, \$1 per h. p., per month. Rates for public service in Cortland, arc street lighting: number of arc lamps, open, 95, c. p., 2,000; schedule, dusk to 1 A. M.; price per lamp per night, 28½c.; number of arc lamps, enclosed 11: seven 6 ampere lamps; schedule, dusk to 1 A. M.; price per lamp per night, 28½c.; four 6 ampere lamps; schedule, all night, every night; price per lamp per night, 32c. Incandescent street lighting: number of incandescent street lamps, 6; c. p., 20; dusk to 1 A. M.; price per lamp per month, \$1.50; 16 lamps, c. p., 16; schedule, all night; price per lamp per month, \$1.

Remarks.— For further rates charged for public service, see Homer and McGraw.

Homer and Cortland Gas Light Co.; kind of gas, coal.

Remarks.— For financial and operating data and rates charged, see Homer.

CORTLANDT.

Northern Westchester Lighting Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Ossining.

Peekskill Lighting and Railroad Company.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Peekskill.

COXSACKIE.

(Population, 2,940.)

Upper Hudson Electric Company; supplies electricity; also supplies Athens, Ravena and Coeymans.

Financial data.— Capitalization: common stock, \$150,000; bonds outstanding, \$75,000; interest, 5½ per cent.; amount, \$2,-

942.50; dividends, none; balance sheet, June 30, 1906. **Assets:** construction and equipment account, \$253,961.06; total assets, \$266,353.90. **Liabilities:** capital account, \$220,000; total (exclusive of profit and loss account), \$253,968.09; profit and loss surplus, \$12,385.81.

Operating data.—Gross earnings from operation, \$18,978.19; operating expenses, \$17,027.17. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 1,200 amperes; service transformers, 248.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 550; engine, h. p., 650; generator capacity, 500 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 40c. per month per 16 c. p. l. Rates for metered arc and incandescent service, 12c. to 7c. per kw. h.; rates for metered power service, 6c. to 4½c. per kw. h. For public service: incandescent street lighting, number of incandescent street lamps, 138, c. p., 25; schedule, all night except full moon, 3,000 hours per year; price per lamp per annum, \$21.25. For further rates charged for public service, see Athens, and Ravenna lighting district.

CRITTENDEN.

(In Hornell.)

Canisteo Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Canisteo.

CROTON.

(Population, 1,599.)

Northern Westchester Lighting Company; supplies electricity.

Rates charged.—Electric: for commercial service, see Ossining. For public service, incandescent street lighting, number of incandescent street lamps, 80; c. p., 75; schedule, all night; 4,000 hours per year; price per lamp per annum, \$23.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Ossining.

CROTON FALLS.

Individual plant; name of owner George Juengst & Son; supplies electricity, also supplies Brewsters (population, 1,277), Purdys, Goldens Bridge and Katonah. Motive power, water.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.— Construction and equipment (n. r.).

Rates charged.— For commercial service: rate for metered arc and incandescent service, 10c. per kw. h.; rates for power, 10c. to 4c. per kw. h. For public service, incandescent street lighting: number of incandescent street lamps 280, c. p., 16; number of hours per year, 5,400, price per lamp per annum, \$15.

CUBA.

(Population, 1,519.)

Empire Gas and Fuel Company, Limited; supplies natural gas.

Remarks.— For financial and operating data and rates charged, see Wellsville.

DANSVILLE.

(Population, 4,200.)

Dansville Gas and Electric Co.; supplies water gas and electricity.

Financial data.— Capitalization: common stock issued, \$80,000; bonds outstanding, \$75,000; interest, rate 5 per cent.; amount (n. r.); dividends (n. r.); balance sheet, June 30, 1906. Assets: construction and equipment account, gas (n. r.); electric (n. r.); total assets (n. r.). Liabilities: capital account (n. r.); total (exclusive of profit and loss account), (n. r.); profit and loss (n. r.). Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, \$4,969.09; operating expenses (n. r.). Gas produced (n. r.); gas sold (n. r.); gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.). Number of meters in service, 147. Miles of main, 4 miles, 2,640 feet. Gas sold per capita (n. r.); gas sold per consumer (n. r.); gas sold per mile of main (n. r.); number of consumers per mile of main (n. r.).

Operating data — Electric.—Gross earnings from operation, \$13,546.34; operating expenses (n. r.). Total amount of electricity generated (n. r.); amount sold (n. r.); amount unac-

counted for (n. r.). Connected load: street lights (n. r.); commercial lights, 150 kw.; power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by steam power. Boiler, h. p., 300; engine, h. p., 475; generator capacity, 460 kw.

Rates charged—Gas.—For commercial service: lighting, \$1.50; fuel, same. No public service.

Rates charged—Electric.—For commercial service: rates for metered arc and incandescent service, 15c. to 9c. per kw. h.; discount, 5 per cent. For public service, arc street lighting: number of arc lamps enclosed, 43, of 6.6 amperes; schedule moonlight: gross amount received per annum, including incandescents, \$3,000; incandescent street lighting: number of incandescent street lamps, 9, of 32 c. p.; 21 of 16 c. p.; schedule moonlight.

Remarks.—Gross earnings from operations for 12 months ending July 31, 1906, statistics for operating expenses not obtainable.

DEANSBORO.

Individual plant; name of owner, Blanding & Cooper; supplies electricity. Motive power, water. Construction and equipment, \$2,000.

Rates charged.—For public lighting, arc street lighting: number of arc lamps, enclosed, 7; schedule, moonlight; price per lamp per annum, \$50.

DEERFIELD.

Utica Gas and Electric Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Utica.

DELHI.

(Population, 2,100.)

Delhi Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$30,000; bonds outstanding, \$20,000; interest, 5 per cent.; amount, \$1,000; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$6,992.35; operating expenses, \$4,661.19. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 480 amperes at average; service transformers 900 kw. capacity, at average

Electricity generated by steam power. Boiler, h. p., 300; engine, h. p., 100; generator capacity, 95 kw.

Rates charged.—For commercial service, flat rates: arc service, \$4 per month per lamp; incandescent service, 75c. to 60c. per month per lamp. Rate for metered arc and incandescent service, 15c. to 12c. kw. For public service, arc street lighting: number of arc lamps, enclosed, 35; c. p., 1,500; schedule, moonlight; price per lamp per year, \$45. Incandescent street lighting: number of incandescent street lamps, 2; c. p., 16; schedule, every night; price per lamp per year, \$15.

DEPEW.

(Population, 3,535.)

The Depew and Lancaster Light, Power and Conduit Co.; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lights enclosed, 52; c. p., 2,000; schedule, all night; 4,000 hours per year; price per lamp per annum, \$75.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Lancaster.

Lancaster-Depew Natural Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Lancaster.

DEPOSIT.

(Population, 2,136.)

Deposit Electric Company; supplies electricity; also supplies Hancock.

(No report having been received from this company, the following figures are taken from preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$74,000; bonds outstanding, \$50,000; dividends, rate 2 per cent. (1905).

Operating data. Electricity generated by water power; steam auxiliary.

Rates charged.—For commercial service, flat rates: arc service, no fixed rate. Rates for metered arc and incandescent service: 12c. to 10c. per kw. h.; rates for power, \$30 per h. p. For public service, arc street lighting: number of arc lamps, enclosed, 30, of 6.6 amperes; schedule, moonlight; price per lamp per annum, \$50. Incandescent street lighting: number of incandescent street lamps, 72; c. p., 30; price per lamp per annum, \$12.50.

DESPATCH.

Despatch Heat, Light and Power Company; supplies parts of the towns of Penfield, Pittsford and Perinton with electricity. Proceedings for consolidation with Eastern Monroe Electric Light & Gas Company, in progress.

Financial data.—Capitalization: common stock, \$500,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$2,198.56; operating expenses, \$3,388.53. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 400 amperes; service transformers, 63½ kw. capacity. Electricity generated by water power; water wheel, h. p., 240; generator capacity, 140 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 12c. to 9c. per kw. h.; minimum, \$1 per kw. capacity-demand; discount, 5 per cent. No public service.

DE RUYTER.

(Population, 700.)

The De Ruyter Gas Co.; gasolene gas.

Financial data.—Capitalization: common stock issued, \$2,600; bonds outstanding, none; dividends, rate 10 per cent.; amount, \$260.

Operating data.—Gross earnings from operation, \$1,012.20; operating expenses (n. r.); daily capacity, 500 lights; length of main, 2,950 feet.

Rates charged.—For commercial service: lighting and fuel, \$2 per 1,000 cubic feet.

DEWITT.

Syracuse Lighting Company; supplies electricity.

Remarks.—See Syracuse and East Syracuse.

DEXTER.

(Population, 1,031.)

Dexter Electric Light and Power Company; name of owners, Edward Hunter & Celestine C. Burns; supplies electricity; also supplies Brownville and Sacketts Harbor; approximate total pop-

ulation, 2,500. Motive power, water. Construction and equipment, 23,980. Number of consumers, 145.

Rates charged.—For commercial service, flat rates: incandescent service, 1½c. per night per lamp, business places, 12 o'clock service; residences, \$10 per year for first two, and balance \$2 per light for 12 o'clock service. Rates for metered incandescent service, 10c. per kw. h. For public service in Dexter, arc street lighting: number of arc lamps, enclosed, 59; schedule, dark until midnight; price per lamp per night, 14c.

Remarks.—For further rates charged for public service, see Brownville and Sacketts Harbor.

DIX.

The Consumers Natural Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Watkins.

DOBBS FERRY.

(Population, 3,515.)

Westchester Lighting Company; supplies electricity.

Rates charged — Electric.—For public service, incandescent street lighting, number of incandescent street lamps 156; c. p. 25; New York City schedule, 3,950 hours per year, price per lamp per annum, \$25.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

DOLGEVILLE.

(Population, 2,245.)

Herkimer County Light and Power Company; supplies electricity.

Rates charged — Electric.—For public service, arc street lighting: number of arc lamps, enclosed, 12; c. p., 2,000; schedule, all night, every night, 4,000 hours per year. Price per lamp per annum, \$85. Incandescent street lighting: number of incandescent street lamps, 288, c. p., 16. Schedule, all night every night, 4,000 hours per year. Price per lamp per annum, \$5.60.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Little Falls.

DOVER PLAINS.

Morgan and Wyman Electric Light and Power Company; supplies electricity.

(No report has been received from this company.)

Financial data.—Capitalization, common stock, \$6,000; bonds, none.

DRYDEN.

(Population, 809.)

Supplied by municipal acetylene gas plant; service furnished, public and commercial. Date of beginning operation, 1904.

Financial data.—Total assessed valuation of real estate in village, \$303,275; bonds authorized, \$30,000; issued, \$30,000; interest, rate, 3, 3½ and 4 per cent. Appropriation since June 30, 1905, for street lighting (n. r.); construction and equipment, \$5,000.

Operating data.—Gross earnings from operation, \$796.42; operating expenses, \$170; net income (n. r.). Total number of cubic feet sold, 79,642. Number of consumers (n. r.).

Rates charged.—For commercial service: lighting and fuel, \$10 per thousand cubic feet. For public service, street lighting: number of lamps, 28; price per lamp per year, \$14.40.

DUNDEE.

(Population, 1,200.)

Dundee Electric Light Plant; name of owner, Evelyn H. Bailey. Supplies electricity. Motive power, steam. Construction and equipment, \$5,610. Number of consumers, 82.

Rates charged.—Commercial service, lighting: stores, 50 to 60c. per 16 c. p. lamp per month; houses, 15c. per 16 c. p. lamp per month. Meter service, 20c per kw. h. with discounts of 15 to 20 per cent.

DUNKIRK.

(Population, 15,250.)

Citizens Gas and Fuel Co. of Dunkirk; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$200,000; bonds outstanding, \$155,000; interest, rate 5 per cent., amount \$3,875; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$355,000; total assets, \$360,985.82. Liabilities: capital account, \$355,000; total liabilities, \$363,872.01. Profit and loss: deficiency, \$2,886.19;

capitalization per mile of main, \$37,766; construction account per mile of main, \$37,766.

Operating data.—Gross earnings from operation, \$15,577.03; operating expenses, \$10,481.07; gas produced, 13,736,910 cubic feet; gas sold, 10,974,500 cubic feet; gas used by company, 314,200 cubic feet; gas unaccounted for, 2,448,210 cubic feet; percentage of gas unaccounted for, 18; number of meters in service, 435; miles of main, 9 miles, 2,280 feet; gas sold per capita, 719 cubic feet; gas sold per consumer, 25,228 cubic feet; gas sold per mile of main, 1,167,500 cubic feet; number of consumers per mile of main, 46. Residuals: coke, 600 net tons; tar, 19,500 gallons.

Rates charged.—For commercial service: for lighting, \$1.25; fuel, \$1.25. For power purposes, \$1 to 90 cents.

Dunkirk Power and Heating Company; supplies electricity.

Financial data.—Capitalization: common stock, \$50,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$42,902.46; total assets, \$43,902.94. Liabilities: capital account, \$50,000; total, \$53,500. Profit and loss deficiency, \$9,597.06.

Operating data.—Gross earnings from operation, \$2,915.57; operating expenses, \$4,212.90. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 565 amperes; service transformers, none. Electricity generated by steam power. Boiler, h. p., 405; engine, h. p., 405; generator capacity (n. r.).

Rates charged.—For commercial service: rates for metered power service, \$0.075 to \$0.030625 per kw. h., net rate; discount deducted, \$0.06 to \$0.0245 per kw. h.; minimum, \$1.50 per month. No public service.

South Shore Natural Gas and Fuel Co.; supplies natural gas in Dunkirk, Forestville, Silver Creek, Sheridan and Hanover.

Financial data.—Capitalization: common stock issued, \$100,000; bonds outstanding, \$146,000; interest, rate 6 per cent.; amount, \$8,760; dividends, none.

Operating data.—Gross earnings from operation, \$38,377.34; operating expenses, \$23,216.85; number of wells operating, 13; gas sold, 142,848,800 cubic feet; miles of main, 66 miles 1,433 feet.

Rates charged.— For commercial service: lighting 60 cents with discount of 6c. for prompt payment; fuel, 30 cents, with discount of 3c.

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation, (n. r.).

Financial data.— Total assessed valuation of real estate in city, \$4,898,851; bonds, authorized (n. r.); issued (n. r.). Appropriation since June 30, 1905: for street lighting, none. Construction and equipment, \$41,269.03.

Operating data.— Gross earnings from operation, \$14,628.88; operating expenses, \$19,615.48; deficit, \$4,986.60. Total kw. h. sold, 142,184; number of consumers, 357.

Rates charged.— For commercial service, lighting from 1 to 10 kw. h. per mo., 8 c. per kw. h. with discount of 5 per cent.; from 10 to 15 kw. h. per mo., 8c. per kw. h. with discount of 10 per cent.; from 50 to 100 kw. h. per mo., 8c. per kw. h. with discount of 12½ per cent.; from 100 to 500 kw. h. per mo., 8c. per kw. h. with discount of 15 per cent.; over 500 kw. h. per mo., 8c. per kw. h. with discount of 20 per cent.; power service same as lighting.

EARLVILLE.

(Population, 765.)

Parsons "Low Down" Wagon Works; supplies electricity; motive power, steam and water. Construction and equipment (n. r.). Number of consumers, 57.

Rates charged.— Commercial service: flat rates, incandescent service, 1c. per hour per 16 c. p. l. Public service, incandescent street lighting: number of incandescent street lights, 55; c. p., 16; schedule, 1 A. M., moonlight; price per lamp per annum, \$13.

EAST AURORA.

(Population, 2,648.)

East Aurora Electric Light Company; supplies electricity.

Financial data.— Capitalization: common stock, \$20,000; bonded indebtedness, \$15,000; interest 6 per cent.; amount, \$900; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.— Gross earnings from operation, \$7,470.74; operating expenses, \$4,376.77. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for

(n. r.); connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by steam and water power; boiler, h. p., 160; engine, h. p., 145; water wheel, h. p., 140; generator capacity, 160 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 65c. to 42c. per month per lamp. Rates for metered arc and incandescent service, 14c. per kw. h. For public service: incandescent street lighting, number of incandescent street lamps, 123, c. p., 30; schedule, 1 A. M., moonlight, price per lamp per annum, \$15.

EAST BLOOMFIELD.

Ontario Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Honeoye Falls.

EASTCHESTER.

(Population, 3,986.)

Westchester Lighting Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for electric service, see Mount Vernon.

EAST HAMPTON.

(Population, 1,800.)

East Hampton Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$47,800; bonds, none; dividends, none; balance sheet June 30, 1906. Assets: construction and equipment account, \$71,039.15; total assets, \$74,948.87. Liabilities: capital account, \$47,800; total, \$82,566.24; profit and loss, deficiency, \$7,617.87.

Operating data.—Gross earnings from operation, \$6,318.22; operating expenses, \$7,076.10. Total amount of electricity generated, 97,255 kw. h.; amount sold, 54,763 kw. h.; amount unaccounted for, 42,492 kw. h.; equals, 43 per cent. Connected load, commercial lights, 81 kw. Meters, 780 amperes; service transformers, 143 kw. capacity. Electricity generated by steam power. Boiler, h. p., 400; engine, h. p., 275; generator capacity, 180 kw.

Rates charged.—For commercial service: rate for metered arc and incandescent service, 12c per kw. h. For public service: incandescent street lighting, number of incandescent street lamps, 127; c. p., 25; schedule, all night; 3,985 hours per year, price per year, \$11.42.

Clinton Gas Co.; gasolene gas.

Financial data.—Capitalization: common stock issued, \$12,100; bonds outstanding, \$2,500; interest, rate 5 per cent.; amount (n. r.); dividends, none.

Operating data.—Gross earnings from operation, \$2,101.50; operating expenses, \$1,075.91; daily capacity, 2,500 lights; length of main, 18,130 feet.

Rates charged.—For commercial service: lighting, \$2 per thousand cubic feet; fuel, \$1.75 per thousand cubic feet; power, \$1.50 per thousand cubic feet.

EAST ISLIP.

The Suffolk Gas and Electric Light Company; supplies water gas.

Rates charged — Gas.—For commercial service: same rates as charged by this company in Bay Shore, see Bay Shore.

Remarks.—For financial and operating data and rates charged for commercial gas service, see Bay Shore.

EAST NECK.

Huntington Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Huntington.

EAST ROCKAWAY.

(Population, 877.)

Queens Borough Gas and Electric Company; supplies water gas and electricity.

Rates charged.—*Gas.*—For commercial service: same rate as charged by this company in borough of Queens, see New York city, borough of Queens.

Rates charged — Electric.—For commercial service: same rate as charged by this company in borough of Queens, see New York city, borough of Queens.

Remarks.—For financial and operating data and rates charged for commercial gas and electric service, see New York city, borough of Queens.

EAST SETAUKET.

(Population, 300.)

Port Jefferson Electric Light Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Port Jefferson.

EAST SYRACUSE.

(Population, 2,996.)

Syracuse Lighting Company; supplies electricity.

Rates charged— *Electric.*— For public service, arc street lighting: number of arc lamps, enclosed, 40; c. p., 1,200; schedule, all night; 4,000 hours per year; price per lamp per night, \$0.235.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Syracuse.

EAST WILLISTON.

Nassau Light and Power Company; supplies electricity.

Rates charged.— For public service, incandescent street lighting: number of incandescent street lamps, 9; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$20.

Remarks.— For financial and operating data and rates charged for commercial service, see Roslyn.

EASTWOOD.

(Population, 538.)

Syracuse Lighting Company; supplies electricity.

Rates charged— *Electric.*— For public service, arc street lighting: number of arc lamps, open, 12; c. p., 2,000; schedule, all night; 4,000 hours per year; price per lamp per night, 25c.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Syracuse.

ECHO.

(Population, 200.)

Port Jefferson Electric Light Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Port Jefferson.

EDMESTON.

(Population, 750.)

Edmeston Light, Heat and Power Company; supplies acetylene gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$6,000; bonds, none; dividends, none.

Operating data.—Gas sold, 50,000 cubic feet, estimated.

Rates charged.—For commercial service: for lighting and fuel, \$15. For public service: number of street lamps, 15; number of hours per year, 1,500; price charged, \$450, gross.

ELBRIDGE.

(Population, 550.)

Jordan Electric Light and Power Company; supplies electricity.

Rates charged.—For public service, are street lighting: number of arc lamps, open, 12; c. p., 1,200; schedule, moonlight; 2,700 hours per year; price per lamp per annum, \$50.

Remarks.—For financial and operating data and rates charged for commercial service, see Jordan.

ELIZABETHTOWN.

(Population, 528.)

The Elizabethtown Electric Light Co.; name of owner, Charles M. Wood; supplies electricity.

Operating data.—Motive power (n. r.); construction and equipment (n. r.); number of consumers, 45.

Rates charged.—Commercial service lighting, \$6 per lamp per year. Public service: lighting public buildings, 15c. per kw. h.; incandescent street lighting, \$12 per year per 32 c. p. l.

ELLENVILLE.

(Population, 3,000.)

Ellenville Electric Company; supplies electricity; also supplies Napanoch.

Financial data.—Capitalization: common stock, \$30,000; bonds outstanding, \$20,000; interest, 6 per cent.; amount, \$1,200; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$11,782.49; operating expenses, \$6,039.16. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 35 kw.; connected load, commercial lights, 160 kw.; total, 195 kw. Meters, 355 amperes; service transformers, 116.6 kw. capacity. Current purchased.

Rates charged.—For commercial service, flat rates: arc service, \$2.50 per month per lamp; incandescent service, 50c. per lamp per month, all night; 25c. to 9c. ordinary service. Rates for metered arc and incandescent service, 15c. per kw. h.; discount, 5 per cent. and upwards; factories, 9c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 56; c. p., 1,200; schedule, all night, every night; number of hours, 4,000; price per lamp per annum, \$54.64.

Remarks.—See Napanoch.

Honk Falls Power Company; name of owner, Charles P. Dickenson; supplies electricity; motive power, water.

(No report has been received from this plant.)

ELLCOTTVILLE.

(Population, 1,044.)

Ellicottville Light, Heat and Power Co.; acetylene gas.

Financial data.—Capitalization: common stock issued, \$1,200; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation, \$1,638.30; operating expenses (n. r.); daily capacity (n. r.); length of main, 7,500 feet.

Rates charged.—For commercial service: lighting, \$15 per thousand cubic feet.

ELMIRA.

(Population, 35,672.)

Elmira Water, Light and R. R. Co.; supplies coal gas and electricity in city of Elmira, and electricity in village of Elmira Heights and village of Horseheads.

Financial data.—Capitalization: common stock issued, \$1,000,000; bonds outstanding, \$2,861,000; interest, rate 4 and 5 per cent.; amount, \$35,780.04; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$263,416.62; electric, \$507,812.74; total assets, \$852,143.94. Liabilities: capital account, \$814,987.85; total (exclusive of profit and loss account), \$834,445.83. Profit and loss, surplus,

\$17,698.11. Capitalization per mile of main (n. r.); construction account per mile of main, \$8,257.

Operating data—Gas.—Gross earnings from operation, \$35,535.88; operating expenses, \$25,443.30; gas produced, 26,454,600 cubic feet; gas sold, 20,892,200 cubic feet; gas used by company, 442,300 cubic feet; gas unaccounted for, 5,094,400 cubic feet; percentage of gas unaccounted for, 19; number of meters in service, 1,718; miles of main, 31 miles, 4,833 feet; gas sold per capita, 599 cubic feet; gas sold per consumer, 18,717 cubic feet; gas sold per mile of main, 669,749 cubic feet; number of consumers per mile of main, 35. Residuals: coke, 1,767 net tons; tar, 34,859 gallons; ammoniacal liquor, 4,530 gallons.

Operating data—Electric.—Gross earnings from operation, \$154,996.62; operating expenses, \$107,642.51. Total amount of electricity generated, 4,987,327 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.); total, 4,428 kw. Meters, 2,100 amperes; service transformers, 1,454 kw. capacity. Electricity generated by steam power. Boiler, h. p., 1,910; engine, h. p., 3,450; generator capacity, 1,653.5 kw.

Rates charged—Gas.—For commercial service: lighting, \$1.75 gross, \$1.50, net; fuel, \$1.25 gross, discount, 15c. No public service.

Rates charged—Electric.—For commercial service: rates for metered arc service, 10c. per kw. h., 10 per cent. discount, minimum, \$1 per month; incandescent service, 15c. per kw. h., 10 per cent. discount, minimum, 50c. per month, with combination rates for both kinds of lighting and for light and power; rates for metered power service, 10c. to 3c. per kw. h., according to quantity used, load factor and time factor. For public service, arc street lighting: number of arc lamps, enclosed, 405; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$80; incandescent street lighting, number of incandescent street lamps, 498; c. p., 60; charged for by meter on this system at 5½c. per kw. h.

Remarks.—Stock and bond capitalization includes railroad department.

Liabilities, capital account is net investment in gas and electric plant, \$814,987.85.

Production of electricity in kw. h. includes 2,201,022 kw. h. for railroad service.

Chemung County Gas Co.; supplies natural gas.

Financial data.—Capitalization: common stock issued, \$350,000; bonds outstanding, \$350,000; interest, rate 6 per cent.; amount, \$21,000; dividends, none.

Operating data.—Gross earnings from operation, \$38,782.15; operating expenses, \$13,874.03; number of wells operating (n. r.); gas sold, 373,715,700 cubic feet; miles of main, 49 miles, 4,231 feet.

Rates charged.—For commercial service: lighting and fuel, 30c., with 10 per cent. discount. For public service: lighting public buildings, 20c., with 10 per cent. discount.

Remarks.—Supplied by Potter Gas Co. See Addison.

ESSEX.

(Population, 600.)

Boquet Electric Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged, see Willsborough.

EVANS CENTER and TOWNSHIP OF EVANS.

Angola Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Angola.

FAIRPORT.

(Population, 2,598.)

Supplied by municipal electric plant; service furnished public and commercial.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Bonds authorized, \$20,000; issued, \$20,000 (\$1,000 paid); construction and equipment, \$30,000.

Rates charged.—For commercial service: rates for metered incandescent service, 8c. per kw. h.; discount, 5 per cent. to 12½ per cent. For public service: number of arc lamps, enclosed, 69; c. p., 2,000.

FALCONER.

(Population, 1,643.)

Falconer Electric Light Plant. Name of owner, E. W. Jordan. Supplies electricity.

Operating data.—Motive power, water. Construction and equipment (n. r.); number of consumers, 14.

Rates charged.—Commercial service lighting: meter rate, from 10c. to 8c. per kw. h., with 10 per cent. discount. Public service: street lighting, incandescent lights, price per lamp per year, \$8.50.

FAYETTEVILLE.

(Population, 1,380.)

Syracuse Lighting Company; supplies electricity.

Rates charged.—Electric: for public service, arc street lighting, number of arc lamps, enclosed, 27; c. p., 1,200; schedule, moonlight, 3,000 hours per year; price per lamp per night, 15½c.; incandescent street lighting, number of incandescent street lamps, 26; c. p., 40; schedule moonlight, 3,000 hours per year; price per lamp per annum, \$15.

Remarks.—For financial and operating data and rates charged for commercial electric service see Syracuse.

FISHERS ISLAND.

Fishers Island Electric Light, Heat and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$15,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$19,481.02; total assets, \$24,458.70. Liabilities: capital account, \$16,000; total, \$29,714.39; profit and loss, deficiency, \$5,255.69.

Operating data.—Gross earnings from operation, \$2,171.40; operating expenses, \$3,173.37. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 908 amperes; service transformers, 80 kw. capacity. Electricity generated by steam power. Boiler h. p. 150; engine h. p. 150; generator capacity, 99 kw.

Rates charged.—For commercial service, rates for metered arc and incandescent service 20c per kw. h. No public service.

FISHKILL.

(Population, 579.)

Southern Dutchess Gas and Electric Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Fishkill-on-Hudson.

FISHKILL-ON-HUDSON.

(Population, 3,939.)

Southern Dutchess Gas and Electric Company, succeeding Fishkill & Matteawan Gas Co. Supplies water gas and electricity in Fishkill-on-Hudson and Matteawan; also supplies electricity in Fishkill, Glenham and adjoining territory.

Financial data.—Capitalization: common stock, \$5,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$36,840.35; operating expenses, \$34,516.36. Total amount of electricity generated (n. r.); amount sold, 1,162,646 kw. h.; amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.). Meters, 3,020 amperes; service transformers, 554 kw. capacity. Electricity generated by steam power. Boiler, h. p. 710; engine, h. p. 775; water wheel, h. p. 400; generator capacity, 900 kw.

Rates charged.—For commercial service flat rates: arc service, \$80 per lamp per annum; incandescent service, \$1.25 per month, 32 c. p. l.; \$1.00, 24 c. p. l.; 62c., 16 c. p. l.; 35c., 8 c. p. l. Rates for metered arc and incandescent service, 10c. per kw. h., discounts 10 per cent. to 40 per cent.; rates for metered power service, 10c. to 3c. per kw. h. For public service in Fishkill-on-Hudson: arc street lighting, number of arc lamps, open, 17; c. p., 2,000; schedule, all night; 4,000 hours per year; price per lamp per annum, \$80; incandescent street lighting: number of incandescent street lamps, 130; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$16.

Remarks.—For further rates charged for public service, see Matteawan.

Fishkill and Matteawan Gas Co.; kind of gas, water; also supplies Matteawan.

Financial data.—Capitalization, common stock issued, \$100,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account (n. r.).

Operating data.—Gross earnings from operation, \$15,214.54; operating expenses, \$8,843.46. Gas produced, 10,127,400 cubic feet; gas sold, 9,896,900 cubic feet; gas used by company, 230,500 cubic feet; gas unaccounted for (n. r.). Number of meters in

service, 688; miles of main, 13 miles, 5,115 feet. Gas sold per capita, 825 cubic feet; gas sold per consumer, 14,385 cubic feet; gas sold per mile of main, 712,007 cubic feet; number of consumers per mile of main, 49.

Rates charged.— For commercial service, lighting, \$1.60 gross, \$1.50 net; for fuel, \$1.60 gross with discount of 10c.

Remarks.— In hands of receiver.

FLORAL PARK.

(Population, 600.)

The Floral Park Light and Power Company; supplies electricity.

Financial data.— Capitalization: common stock, \$24,020; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,340.87; total assets, \$2,787.62. Liabilities: capital account, \$24,020; total, \$25,031.25; profit and loss, deficiency, \$22,243.63.

Operating data.— Gross earnings from operation, \$4,567.74; operating expenses, \$2,320.28. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters 370 amperes; service transformers, 490 kw. capacity. Current purchased.

Rates charged.— For commercial service, flat rates; incandescent service, 50c. per lamp per month, minimum, \$1; rates for metered arc and incandescent service, 20c. to 11c. per kw. h.; minimum, \$1 for 5 kw. h. or less, per month. No public service.

FORESTPORT.

(Population, 577.)

Individual plant. Name of owner, George Farley.

Supplies electricity. Motive power, water. Construction and equipment (n. r.). Number of consumers, 28.

Rates charged.— (n. r.).

FORESTVILLE.

(Population, 500.)

South Shore Natural Gas and Fuel Company; supplies natural gas.

Remarks.— For financial and operating data and rates charged see Dunkirk.

FORT COVINGTON.

(Population, 854.)

Fort Covington Light, Heat and Power Company; supplies electricity.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$12,000; bonds outstanding, \$3,500; dividends, none.

Operating data.—Electricity generated by water power; water wheel h. p. 400.

Rates charged.—For commercial service, flat rates: incandescent service, business places, \$2.50 per lamp per annum; residences, \$1.83. For public service: arc street lighting, number of arc lamps, enclosed, 13; c. p., 500; price per lamp per annum, \$33.33.

FORT EDWARD.

(Population, 3,806.)

United Gas, Electric Light and Fuel Company; supplies coal gas and electricity.

Rates charged — Gas.—For commercial service same as charged by this Company at Sandy Hill. See Sandy Hill.

Rates charged — Electric.—For public service, arc street lighting, number of lamps enclosed 59, c. p. 2,000; schedule all night; price per lamp per annum, \$80; incandescent street lighting, number of incandescent street lamps, 11, c. p. 24; schedule all night; price per lamp per annum, \$20.

Remarks.—For financial and operating data and rates charged for commercial gas and electric service, see Sandy Hill.

FORT PLAIN.

(Population, 3,400.)

Fort Plain Gas and Electric Light, Heat and Power Company; supplies water gas and electricity in Fort Plain and electricity in Nelliston.

Financial data.—Capitalization, common stock issued, \$31,000; bonds outstanding, none; dividends, rate 5 per cent., amount, \$1,550; balance sheet, June 30, 1906. Assets: construction and equipment account, gas \$15,000; electric, \$16,000; total assets, \$34,203.68. Liabilities: capital account, \$31,000; total (exclusive of profit and loss account) \$31,284.50. Profit and loss, sur-

plus, \$2,919.18. Capitalization per mile of main (n. r.); construction account per mile of main, \$4,054.

Operating data—Gas.—Gross earnings from operation, \$2,768.22; operating expenses, \$2,852.96; gas produced (n. r.); gas sold, 1,400,000 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.); number of meters in service, 195; miles of main, 3 miles, 3,780 feet; gas sold per capita, 539 cubic feet; gas sold per consumer, 7,189 cubic feet; gas sold per mile of main, 378,918 cubic feet; number of consumers per mile of main, 52.

Operating data—Electric.—Gross earnings from operation, \$10,980; operating expenses, \$7,991.55; current purchased; amount sold (n. r.); amount unaccounted for (n. r.); connected load, street lights (n. r.); commercial lights (n. r.); meters 1,040 amperes; service transformers, 88 kw. capacity.

Rates charged—Gas.—For commercial service: lighting and fuel, \$2. No public service.

Rates charged—Electric.—For commercial service, flat rates: arc service, \$3 per month per lamp; incandescent service, 50c. per month per lamp. Rates for metered arc and incandescent service, 10c. per kw. h.; rates for metered power service, 3c. per kw. h. For public service in Fort Plain: arc street lighting, number of arc lamps, enclosed, 33, c. p. 2,000; schedule, dark to daylight; price per lamp per annum, \$60; incandescent street lighting: number of incandescent street lamps, 35, c. p., 100; schedule, dark to daylight; price per lamp per annum, \$30.

Remarks.—For further rates charged for public service, see Nelliston.

FRANKFORT.

(Population, 2,870.)

Supplied by municipal electric plant. Service furnished, public and commercial. Date of beginning operation (n. r.).

Financial data.—Total assessed valuation of real estate in village (n. r.); bonds authorized, \$18,000; issued, \$16,000; interest, rate, $3\frac{1}{2}$ per cent. Appropriation since June 30, 1905, for street lighting, \$2,500. Construction and equipment, \$20,469.44.

Operating data.—Gross earnings from operation, \$5,035.08; operating expenses, \$3,631.10; net income, \$828.96. Total kw. h. sold 34,311; number of consumers, 105.

Rates charged.—For commercial service, lighting, flat rate, \$1 per month per lamp; meter rate, 8c per kw. h. Penalty of 5 per cent. added to bill after 20th of month.

FREEPORT.

(Population, 4,012.)

Nassau and Suffolk Lighting Company; kind of gas, water.

Remarks.—For financial and operating data and rates charged for commercial service, see Hempstead.

Supplied by municipal electric plant. Service furnished, public and commercial. Date of beginning operation, 1898.

Financial data.—Total assessed valuation of real estate in village, \$1,153,717.50; bonds authorized, \$85,000; issued, \$85,000; interest, rate, 3.45, 4 and 5 per cent. Appropriation since June 30, 1905, for street lighting, \$12,891.88. Construction and equipment (n. r.).

Operating data.—Gross earnings from operation, \$10,838.08; operating expenses, \$15,786.52; net income (n. r.). Total kw. h. sold 96,174 kw. h.; number of consumers, 276.

Rates charged.—For commercial service, rate for metered arc and incandescent service, 12c per kw. h.

FONDA.

(Population, 1,131.)

Cayadutta Generating Company; also supplies Fultonville; name of owner (n. r.); supplies electricity; motive power, steam and water.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Construction and equipment, \$20,000; rates charged for commercial service, rate for metered arc and incandescent service, 10c. per kw. h. For public service: arc street lighting, number of arc lamps, open, 18; enclosed, 36; c. p., 1,200; schedule, twilight until 1 A. M.; price per lamp per annum, \$60.

FRANKLINVILLE.

(Population, 1,485.)

Empire Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$2,500; bonds, none; dividends, none; balance sheet June 30, 1906. Assets: construction and equipment account, \$14,269.72; total assets, \$16,512.88. Liabilities: capital account, \$2,500; total (exclusive of profit and loss account), \$10,493.25. Profit and loss, surplus, \$6,019.33.

Operating data.—Gross earnings from operation, \$4,380.40; operating expenses, \$3,086.73. Total amount of electricity generated (n. r.). Connected load, commercial lights, 40 kw.; power, 120 kw.; total, 160 kw. Meters, 54 amperes; service transformers, 52.5 kw. capacity. Steam power purchased; engine h. p., 300; generator capacity, 180 kw.

Rates charged.—For commercial service, flat rates: incandescent service, business places, 50c. per month (1 light) to 30c. (20 lights) per month; also for offices, churches, etc., 40c. per month (1 light) to 11½c. (45 lights) per month. Rates for metered arc and incandescent service, 15c. per kw. h.; business places and residences, 10c. per kw. h. if minimum bill of \$50 per annum is guaranteed; rates for power service, \$35 per h. p. For public service: incandescent street lighting, number of incandescent street lamps, 75; c. p., 32; schedule all night, price per lamp per annum, \$22.

FREDONIA.

(Population, 5,148.)

Dunkirk and Fredonia Railroad Company, Lighting Department; supplies electricity.

Financial data.—Capitalization: common stock, \$173,250 (includes railroad); bonds outstanding, \$100,000, (includes railroad); interest, 5 per cent.; amount, \$5,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$264,735.02; total assets, \$289,601.16. Liabilities: capital account, \$273,250; total (exclusive of profit and loss account), \$277,497.06. Profit and loss, surplus, \$12,104.10.

Operating data.—Gross earnings from operation, \$63,603.26 (includes railroad); operating expenses, \$48,538.84, (includes railroad). Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 2,000 amperes; service transformers, 184 kw. capacity. Electricity generated by steam power; boiler h. p., 510; engine h. p., 500; generator capacity, 100 kw.

Rates charged.—For commercial service: rate for metered incandescent service, 10c. to 7c. per kw. h.; rates for metered arc service, 7½c. to 4¼c. per kw. h.; discount, 20 per cent.; minimum (incandescents), \$1, net, 80c.; (arcs) \$1 per month, 80c. net, for each arc. Rates for metered power service, 7½c. to 4¼c. per kw. h.; discount, 20 per cent.; minimum, \$2; net, \$1.60 for each motor. No public service.

Fredonia Natural Gas Light Company; kind of gas, coal.

Financial data.—Capitalization: common stock, \$40,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, 57,997.18; total assets, \$61,546.18. Liabilities: capital account, \$40,000; total (exclusive of profit and loss account), \$45,034.26; profit and loss, surplus, \$16,511.92. Capitalization per mile of main, \$7,143; construction account per mile of main, \$10,356.

Operating data.—Gross earnings from operation, \$15,312.69; operating expenses, \$11,539.65; gas produced (n. r.); gas sold (n. r.); gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.); number of meters in service, 646; miles of main, 5 miles, 3,600 feet; gas sold per capita (n. r.); gas sold per consumer (n. r.); gas sold per mile of main (n. r.); number of consumers per mile of main, 104.

Rates charged.—For commercial service: lighting, \$1.75 gross, \$1.40 net; for fuel, \$1.25. Discount 20 per cent. for lighting and fuel.

Supplied by municipal electric plant. Service furnished, public only.

(No report has been received from this plant. The following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Bonds, none; construction and equipment, \$11,000.

Operating data.—Electricity generated by steam power.

Public service.—Arc street lighting, number of arc lamps, open, 80; c. p., 2,000; schedule 1 A. M.

FRIENDSHIP.

(Population, 1,259.)

Producers Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Olean.

FULTON.

(Population, 8,847.)

Fulton Fuel and Light Company; kind of gas, water and coal.

Financial data.—Capitalization: common stock issued, \$125,000; bonds outstanding, \$121,000; interest, rate 5 per cent; amount, \$6,260; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$246,593.79; total

assets, \$250,570.43. Liabilities: capital account, \$246,000; total liabilities, \$253,323.48. Profit and loss: deficit, \$2,753.05. Capitalization per mile of main, \$24,117; construction account per mile of main, \$23,195.

Operating data.—Gross earnings from operation, \$21,291; operating expenses, \$22,774.07; gas produced, 18,218,276 cubic feet; gas sold 16,891,000 cubic feet; gas used by company, 223,384 cubic feet; gas unaccounted for, 1,327,276 cubic feet; percentage of gas unaccounted for, 7.86; number of meters in service, 1,091; miles of main 10 miles, 1,193 feet; gas sold per capita, 1,876 cubic feet; gas sold per consumer, 15,203 cubic feet; gas sold per mile of main, 1,655,980 cubic feet; number of consumers per mile of main, 108; residuals, coke, 849 net tons; tar, 15,770 gallons.

Rates charged.—For commercial service: lighting, \$1.35 gross; \$1.25 net; fuel, \$1.35 with discount of 10c.

Fulton Light, Heat and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$150,000; bonds outstanding, \$130,000; interest 5 per cent; amount, \$6,900; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$323,863.52; total assets, \$336,815.48. Liabilities: capital account, \$288,000; total (exclusive of profit and loss account), \$322,666.56. Profit and loss surplus, \$14,148.92.

Operating data.—Gross earnings from operation, \$27,321.21; operating expenses, \$13,343.72. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power, 230 kw. Meters, 12,835 amperes; service transformers, 1,352.2 kw. capacity. Electricity generated by steam and water power; boiler, h. p., 450; engine, h. p., 450; water wheel, h. p., 700; generator capacity, 360 kw.

Rates charged.—For commercial service: rates for metered arc service, 9c. per kw. h.; discount, 2c.; minimum, 75c. per month. Rate for metered incandescent service, 12c. per kw. h.; discount, 2c.; minimum, 75c. per month. Rates for metered power service, 4c. to 2½c. per kw. h.; 6c. per kw. h. for small motors; discount, 1c. per kw. h.; minimum, \$1 per month. For public service: arc street lighting, number of arc lamps, enclosed, 101; schedule all night, 4,000 hours per year; price per lamp per annum, \$75.

FULTONVILLE.

(Population, 912.)

Cayadutta Generating Company; supplies electricity.*Remarks.*— For financial and operating data and rates charged, see Fonda.**GARDEN CITY.**

(Population, 600.)

Nassau and Suffolk Lighting Company; kind of gas, water.*Remarks.*— For financial and operating data and rates charged for commercial service, see Hempstead.**GATES.**

(Population, 3,739.)

Rochester Railway and Light Company; supplies mixed coal and water gas and electricity.*Rates charged — Gas.*— For commercial service: same rate as charged by this company in Rochester, see Rochester.*Rates charged — Electric.*— For commercial service: same rate as charged by this company in Rochester, see Rochester.*Remarks.*— For financial and operating data and rates charged for commercial gas and electric service, see Rochester.**GEDDES.****Syracuse Lighting Company;** supplies electricity.*Remarks.*— For financial and operating data and rates charged, see Syracuse.**GENESEO.**

(Population, 2,400.)

Geneseo Gas Light Company; supplies coal gas and electricity.*Financial data.*— Capitalization: common stock issued, \$25,000; bonds outstanding, \$25,000; interest, rate 5 per cent; amount, \$1,250; dividends, rate 5 per cent; amount, \$1,250; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$32,658.79; electric, \$18,870.25; total assets, \$82,016.69. Liabilities: capital account, \$50,000, total (exclusive of profit and loss account, \$74,390.53. Profit and loss, surplus, \$7,626.16. Capitalization per mile of main (n. r.). Construction account per mile of main (n. r.).

Operating data — Gas.— Gross earnings from operation, \$7,625; operating expenses, \$5,875; gas produced, 3,800,000 cubic feet; gas used by company (n. r.); gas unaccounted for, 588,000 cubic feet; percentage of gas unaccounted for, 20. Number of meters in service, 199. Miles of main, 2 miles, 3,397 feet. Gas sold per capita (n. r.); gas sold per consumer (n. r.); gas sold per mile of main (n. r.); number of consumers per mile of main, 71. Residuals: coke, 242 net tons; tar, 1,600 gallons.

Operating data — Electric.— Gross earnings from operation, \$6,400; operating expenses, \$7,215; total amount of electricity generated (n. r.); amount sold, 18,752 kw. h.; amount unaccounted for (n. r.). Connected load: street lights, 24 kw.; commercial lights, 62 kw.; power, 2 kw.; total, 88 kw. Meters, 745 amperes. Service transformers, 76.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 125; engine, h. p., 125; generator capacity, 66.3 kw.

Rates charged — Gas.— For commercial service: lighting, \$2; fuel, \$1.50. No public service.

Rates charged — Electric.— For commercial service, flat rates: arc service, \$7.50 per month per lamp; incandescent service, 50c. per lamp per month; rates for metered arc and incandescent service, 12c. per kw. h. and 1c. per ampere hour; rates for power service, \$9 per month per h. p. For public service, arc street lighting: number of arc lamps open, 8; c. p., 2,000; schedule, all night; 3,285 hours per year; price per lamp per annum, \$95.

GENEVA.

(Population, 12,249.)

Inter-Urban Gas Company; kind of gas, coal; also supplies Cayuga and Cayuga Lake Park; total population, 13,400.

Financial data.—Capitalization: common stock issued, \$10,000; bonds outstanding, \$447,000; interest, rate 5 per cent.; amount, \$22,450; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$376,209.88; total assets, \$453,465.09. Liabilities: capital account, \$457,000; total liabilities, \$457,008.20; profit and loss, deficit, \$3,543.11. Capitalization per mile of main, \$10,739; construction account per mile of main, \$9,139.

Operating data.— Gross earnings from operation, \$44,348.51; operating expenses, \$23,591.80; gas purchased, 46,566,100 cubic feet; gas sold, 43,231,900 cubic feet; gas used by company,

962,100 cubic feet; gas unaccounted for, 1,626,100 cubic feet; percentage of gas unaccounted for, 3.5; number of meters in service, 744; miles of main, 41 miles, 3,619 feet; gas sold per capita, 3,500 cubic feet; gas sold per consumer, 26,300 cubic feet; gas sold per mile of main, 1,036,736 cubic feet; number of consumers per mile of main, 42.

Rates charged.— For commercial service: lighting, \$1.35 gross, \$1.25 net; fuel, \$1.35 gross. Special rates to large consumers.

Geneva Power and Light Company; supplies electricity.

Financial data.— Capitalization: common stock, \$50,000; bonds outstanding, \$50,000; interest, 5 per cent; amount, \$2,500; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$94,368.44; total assets, \$102,640.49. Liabilities: capital account, \$100,000; total (exclusive of profit and loss account), \$102,061.71. Profit and loss, surplus, \$578.78.

Operating data.— Gross earnings from operation, \$34,315.24; operating expenses, \$22,865.90. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 55kw.; connected load, commercial lights, 439 kw.; power, 78 kw.; total, 572 kw. Meters, 3,990 amperes; service transformers, 342.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 450; engine, h. p., 350; generator capacity, 505 kw.

Rates charged.— For commercial service, flat rates: incandescent service, 80c. per month per 16 c. p. l. (less than 5 lights). Rates for metered arc and incandescent service: first 2 kw. per 16 c. p. l., 16c. per kw. h., all over, 8c. per kw. h. Rates for metered power service, 10c. to 4c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 104; c. p., 2,000; schedule, 4 nights per month out, 3,500 hours per year; price per lamp per annum, \$75. Incandescent street lighting: number of incandescent street lamps, 77; c. p., 32; schedule, 4 nights per month out; 3,500 hours per year; price per lamp per annum, \$20.

GILBERTSVILLE.

(Population, 469.)

Individual plant; name of owner, Benjamin C. Gilbert; supplies acetylene gas to a few customers.

(No. report has been received from this plant.)

GLEN COVE.

Sea Cliff and Glen Cove Gas Company; kind of gas, water.

Remarks.— For financial and operating data and rates charged, see Sea Cliff.

Nassau Light and Power Company; supplies electricity.

Rates charged.— For public service, incandescent street lighting: number of incandescent street lamps, 323; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$20.

Remarks.— For financial and operating data and rates charged for commercial service, see Roslyn.

GLENHAM.

Southern Dutchess Gas and Electric Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Fishkill-on-Hudson.

GLENS FALLS.

(Population, 16,747.)

Glens Falls Gas and Electric Light Company; supplies coal gas and electricity in Glens Falls and electricity in South Glens Falls.

Financial data.— Capitalization: common stock issued, \$250,000; bonds outstanding, \$250,000; interest, rate 5 per cent; amount, \$12,500; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$191,018.66; electric, \$285,180.96; total assets, \$499,088.08. Liabilities, capital account, \$500,000; total liabilities, \$531,934.95; profit and loss, deficit, \$32,846.87; capitalization per mile of main (n. r.); construction account per mile of main, \$11,507.

Operating data — Gas.— Gross earnings from operation, \$30,463; operating expenses, \$26,321.96; gas produced, 27,607,500 cubic feet; gas sold, 24,457,900 cubic feet; gas used by company, 149,700 cubic feet; gas unaccounted for, 3,004,400 cubic feet; per centage of gas unaccounted for, 10.9; number of meters in service, 1,012; miles of main, 16 miles, 3,283 feet; gas sold per capita, 980 cubic feet; gas sold per consumer, 14,232 cubic feet; gas sold per mile of main, 866,594 cubic feet; number of consumers per mile of main, 61. Residuals: coke, 1,633 net tons; tar, 27,955 gallons.

Operating data—Electric.—Gross earnings from operation, \$22,549.25; operating expenses, \$33,164. Total amount of electricity generated (n. r.); amount sold, 600,055 kw. h.; amount unaccounted for, 481,945 kw. h., equal 44.55 per cent. Connected load, street lights, 50 kw.; commercial lights, 768 kw.; power, 343 kw.; total, 768 kw. Meters, 5,705 amperes; service transformers, 436.5 kw. capacity. Electricity generated by steam power (also steam power leased). Boiler, h. p., 500; engine, h. p., 600; generator capacity, 445 kw.

Rates charged—Gas.—For commercial service: lighting, \$1.75 gross, \$1.50 net; fuel, \$1.50 gross; discount, 25c. per thousand cubic feet; no discount on lighting bills of less than 600 cubic feet. No public service.

Rates charged—Electric.—For commercial service: rates for metered arc and incandescent service, 4½c. per kw. h.; minimum, 50c. per month; rates for metered power service, 4½c. to 1¼c. per kw. h.; minimum, 50c. per month. No public service.

Empire State Power Company; supplies electricity.

(No report has been received from this company.)

Hudson River Water Power Company; supplies electricity.

(No report has been received from this company.)

Hudson River Electric Company; supplies electricity; also supplies Watervliet. Population of Watervliet, 14,600.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$3,000,000; bonds outstanding, \$3,000,000; dividends, none.

Operating data.—Current purchased from Hudson River Water Power Company and Hudson River Power Transmission Company.

Rates charged.—For commercial service in Glens Falls: rates for metered arc and incandescent service 5c. per kw. h. Rates for metered power service, 8c. to 1c. per kw. h.

Remarks.—For further rates charged for commercial service, see Watervliet.

Hudson River Power Transmission Company; supplies electricity.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$750,000; bonds outstanding, \$650,000.

Operating data.—All current sold to Hudson River Electric Company. Electricity generated by water power.

Rates charged.—Rate for metered power, 1c. per kw. h.

Remarks.—See Hudson River Electric Company.

GLOVERSVILLE.

(Population, 18,349.)

Fulton County Gas and Electric Company; supplies water gas and electricity in cities of Gloversville and Johnstown, and electricity in town of Johnstown. Total population, 31,010.

Financial data.—Capitalization: common stock issued, \$1,500,000; bonds outstanding, \$1,324,000; interest, rate 5 per cent.; amount, \$57,737.78; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$2,552,232.93; electric, \$197,647.34; total assets, \$2,893,948.97. Liabilities: capital account, \$2,824,000; total (exclusive of profit and loss account, \$2,874,395.23. Profit and loss, surplus, \$19,553.74. Capitalization per mile of main (n. r.); construction account per mile of main, \$60,336.

Operating data — *Gas*.—Gross earnings from operation, \$104,666.77; operating expenses, \$59,053.68; gas produced, 79,208,400 cubic feet; gas sold, 70,635,300 cubic feet; gas used by company, 819,900 cubic feet; gas unaccounted for, 7,715,700 cubic feet; percentage of gas unaccounted for, 9.7; number of meters in service, 4,518; miles of main, 42 miles, 133 feet; gas sold per capita, 2,350 cubic feet; gas sold per consumer, 12,900 cubic feet; gas sold per mile of main, 2,243,700 cubic feet; number of consumers per mile of main, 129.

Operating data — *Electric*.—Gross earnings from operation, \$90,536.31; operating expenses, \$52,358.25. Total amount of electricity generated, 1,928,200 kw. h; amount sold, 1,422,837 kw. h.; amount unaccounted for, 505,368 kw. h., equal 26 per cent. Connected load, street lights, 211 kw.; commercial lights, 925 kw.; power, 865 kw.; total, 2,001 kw. Meters, 12,835 amperes; service transformers, 1,351.2 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 725; engine, h. p., 900; water wheels, h. p., 500; generator capacity, 925 kw.

Rates charged — *Gas*.—For commercial service: lighting and fuel, \$1.30. January 1, 1906, price reduced from \$1.70 gross,

\$1.60 net lighting; \$1.50 gross and net for fuel. No public service.

Rates charged—Electric.—For commercial service: rates for metered arc and incandescent service, 10c. per kw. h.; minimum, 50c. per month; rate for metered power service, 10c. per kw. h., discount, 10 per cent. to 75 per cent.; minimum, \$1 per month per h. p. of connected load. For public service in Gloversville: arc street lighting, number of arc lamps enclosed 142, schedule all night every night; 4,000 hours per year; price charged per lamp per annum, \$86.40; incandescent street lighting, number of incandescent street lamps, 20 c. p. 65; schedule, all night, every night; 4,000 hours per year, price per lamp per annum \$45.

Remarks.—For further rates charged for public service, see Johnstown.

GOLDEN BRIDGE.

Individual plant; name of owner, George Juengst & Sons; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Croton Falls.

GORHAM.

Gorham Natural Gas and Mining Company; supplies natural gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$5,850; bonds, none; dividends, rate 14.4 per cent.

Operating data.—Gas sold, 1,265,800 cubic feet.

Rates charged.—For commercial service: lighting and fuel, 50c.

GOSHEN.

(Population, 4,000.)

Goshen Illuminating Company; kind of gas, water.

Financial data.—Capitalization: common stock issued, \$15,000; bonds outstanding, \$15,000; interest, rate 5 per cent.; amount (n. r.); dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$820.42; operating expenses, \$789.16 (from April 1, 1906). Gas produced,

for three months, 423,700 cubic feet; gas sold, 423,700 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.). Number of meters in service (n. r.). Miles of main, 4 miles, 680 feet. Gas sold per capita, etc., (n. r.).

Rates charged.—For commercial service: lighting, \$2, gross; fuel, \$1.50, gross.

The Goshen Light and Power Company; supplies electricity; supplies Goshen and suburbs.

Financial data.—Capitalization: common stock, \$15,000; bonds outstanding, \$6,000; interest, 5 per cent.; amount, \$325; dividends, rate $6\frac{1}{2}$ per cent.; amount, \$896.25; balance sheet, June 30, 1906. Assets: construction and equipment account, \$30,307.42; total assets, \$37,616.51. Liabilities: capital account, \$21,000; total (exclusive of profit and loss account), \$22,508.34. Profit and loss, surplus, \$15,108.17.

Operating data.—Gross earnings from operation, \$13,186.11; operating expenses, \$8,955.16. Total amount of electricity generated (n. r.); amount sold, 108,616 kw. h.; amount unaccounted for (n. r.). Connected load, street lights, 6 kw.; connected load, commercial lights, 190 kw.; total, 196 kw. Meters, 720 amperes; service transformers, none. Electricity generated by steam power. Boiler, h. p., 270; engine, h. p., 250; generator capacity, 200 kw.

Rates charged.—For commercial service, flat rates: incandescent service at contract rates, based on $\frac{1}{2}$ c. per hour of actual use of 16 c. p. l. Rates for metered arc and incandescent service, 12c per kw. h.; rates for metered power service, 12c. per kw. h. For public service, arc street lighting: number of arc lamps, inclosed, 12; c. p., 1,200; schedule, moonlight; 3,285 hours per year; price per lamp per annum, for 10 lamps, \$108 (2 additional lamps free). Incandescent street lighting: number of incandescent street lamps, 142; c. p., 24; schedule, moonlight; 3,285 hours per year; price per lamp per annum, \$15.66 (33 additional 16 c. p. lamps free).

GOUVERNEUR.

(Population, 4,229.)

Oswegatchie Light and Power Company; supplies electricity; also supplies Hailesboro.

Financial data.—Capitalization: common stock, \$60,000; bonds, none; dividends, none; balance sheet, June 30, 1906. As-

sets: construction and equipment account, \$93,944.02; total assets, \$102,376.41. Liabilities: capital account, \$60,000; total (exclusive of profit and loss account), \$67,882.93. Profit and loss, surplus, \$34,493.48.

Operating data.—Gross earnings from operation, \$19,878.54; operating expenses, \$9,063.03. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 125 amperes; service transformers, 260.5 capacity. Electricity generated by water power. Water wheel, h. p., 600; generator capacity, 315 kw.

Rates charged.—For commercial service, flat rates: arc service, \$50 per lamp per annum; discount, 10 per cent. to 20 per cent.; incandescent service, \$6 per annum per 16 c. p. l.; business places, 24-hour service; residences, \$2 per 16 c. p. l., 12-hour service. Rates for metered arc and incandescent service, 20c. to 10c. per kw. h.; rates for power, \$50 per h. p. per annum. For public service, arc street lighting: number of arc lamps, open, 49; c. p., 2,000; schedule (n. r.); number of hours per year (n. r.); price per lamp per annum (n. r.). (By the preliminary report of last year the price per lamp per annum was given at \$60, and the number of hours per year, 2,500).

GOWANDA.

(Population, 2,063.)

Gowanda Natural Gas Co.; supplies natural gas.

Financial data.—Capitalization: common stock issued, \$2,200; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation, \$10,720.85; operating expenses, \$9,257.16. Number of wells operating, 4. Gas sold, 33,709,000 cubic feet. Miles of main, 8 miles, 57 feet.

Rates charged.—For commercial service: lighting and fuel, 32c.; with 2c. discount for prompt payment.

Consolidated Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$50,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$4,668.94; operating expenses, \$4,459.41. Total amount of electricity gen-

erated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.); total (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by steam power. Boiler, h. p. (n. r.); engine, h. p. (n. r.); generator capacity (n. r.).

Rates charged.—For commercial service (n. r.). No public service.

GRAND VIEW.

(Population, 356.)

Rockland Light and Power Company; supplies electricity.

Rates charged.—For public service: incandescent street lighting, number of incandescent street lamps, 52; c. p., 20; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$15.

Remarks.—For financial and operating data and rates charged for commercial service, see Nyack.

GRANVILLE.

(Population, 5,200.)

Granville Electric and Gas Company; supplies water gas and electricity in village of Granville, and electricity in Middle Granville and intervening territory.

Financial data.—Capitalization: common stock issued, \$130,000; bonds outstanding, \$130,000; interest, rate 5 per cent.; amount, \$2,785; dividends (none); balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$54,216.90; electric, \$120,837.67; total assets, \$310,534.37. Liabilities: capital account, \$260,000; total exclusive of profit and loss account, \$308,648.47. Profit and loss surplus, \$1,186.90. Capitalization per mile of main (n. r.); construction account per mile of main, \$5,893.

Operating data — Gas.—Gross earnings from operation, \$5,107.25; operating expenses, \$6,160.33; gas produced, 4,178,950 cubic feet; gas sold, 3,663,000 cubic feet; gas used by company, 10,000 cubic feet; gas unaccounted for, 493,950 cubic feet; percentage of gas unaccounted for, 11.8; number of meters in service, 322; miles of main, 9 miles, 799 feet; gas sold per capita, 979 cubic feet; gas sold per consumer, 11,232 cubic feet; gas sold per mile of main, 591,500 cubic feet; number of consumers per mile of main, 35.

Operating data—Electric.—Gross earnings from operation, \$14,292.19; operating expenses, \$7,491.56. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: street lights, none; commercial lights, 150 kw.; power, 125 kw.; total, 275 kw. Meters, 1,265 amperes; service transformers, 142 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 160; engine, h. p., 330; water wheels, h. p., 150; generator capacity, 275 kw.

Rates charged—Gas.—For commercial service: lighting and fuel, \$1.50. No public service.

Rates charged—Electric.—For commercial service, flat rates: incandescent service, 75c. per month per 16 c. p. l.; rates for metered arc and incandescent service, 15c. and 12½c. per kw. h.; discount, 5c.; rates for metered power service, 8c. to 2c. per kw. h.; minimum, \$1 per month per h. p. For public service: incandescent street lighting, number of incandescent street lamps 213, c. p., 24; schedule (n. r.), 3,800 hours per year; price per lamp per annum, \$17.

GREAT NECK.

Nassau Light & Power Company; supplies electricity.

Rates Charged.—For public service: incandescent street lighting, number of incandescent street lamps, 109; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$20.

Remarks.—For financial and operating data and rates charged for commercial service, see Roslyn.

GREENBURG.

(Population, 18,635.)

Westchester Lighting Company; supplies water gas and electricity.

Remarks.—For financial and operating data and rates charged for gas and electric service, see Mount Vernon.

GREENE.

(Population, 1,358.)

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation, 1890.

Financial data.—Total assessed valuation of real estate in village, \$592,127; bonds, authorized, \$17,500, issued, \$17,500; interest, rate 3½ and 4 per cent. Appropriation since June 30,

1905, for street lighting, \$2,355.50. Construction and equipment, \$20,413.99.

Operating data.—Gross earnings from operation, \$4,449.82; operating expenses, \$3,568.53; net income, \$471.97. Total kw. h. sold, 44,790; number of consumers, 117.

Rates charged.—For commercial service: lighting, flat rate, 60c. per month; meter service, 15c. per kw. h. for dwellings; 12½c. per kw. h. for stores; 10c. per kw. h. for hotels.

GREEN ISLAND.

(Population, 4,878.)

Municipal Gas Company (Albany); supplies electricity.

Remarks.—For financial and operating data and rates charged, see Albany.

Supplied by municipal electric plant; service furnished, public and commercial.

(No report having been received from this plant the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Bonds authorized, \$30,000; issued, \$30,000; construction and equipment (n. r.).

Operating data.—Electricity generated by water power, steam auxiliary.

Rates charged.—For commercial service, flat rates; incandescent service, \$1.25 to \$6 per 16 c. p. l. per annum, according to use and location. For public service, arc street lamps, number of arc lamps enclosed, 48; c. p., 2,000; number of hours per year, 4,200; incandescent street lighting, number of incandescent street lamps, 100; c. p., 16; number of hours per year, 4,400.

GREENLAWN.

(Population, 150.)

The Northport Electric Light Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Northport.

GREENPORT.

(Population, 2,667.)

Supplied by municipal electric plant. service furnished, public and commercial. Date of beginning operation, 1899.

Financial data.—Total assessed valuation of real estate in village, \$1,560,700; bonds, authorized, \$54,000; issued, \$54,000; interest, rate 3.1, 3.5 and 4 per cent. Appropriation since June 30, 1905, for street lighting, \$1,500. Construction and equipment (n. r.).

Operating data.—Gross earnings from operation, \$8,523.58; operating expenses, \$5,690.38; net income, \$52.95. Total kw. h. sold (n. r.); number of consumers, 260.

Rates charged.—For commercial service, lighting 10c per kw. h. with discounts ranging from 5 to 20 per cent., according to amount used.

GREENWICH.

(Population, 2,800.)

Consolidated Electric Company; supplies electricity; also supplies Schuylerville, Cambridge & Victory Mills.

Financial data.—Capitalization: common stock, \$75,000; bonds outstanding, \$50,000; rate 5 per cent.; amount, \$2,493.75; dividends, rate 6 per cent.; amount, \$1,500; balance sheet June 30, 1906. Assets: construction and equipment account, \$161,027.82; total assets, \$170,259.49. Liabilities, capital account, \$125,000; total (exclusive of profit and loss account), \$137,500.03. Profit and loss, surplus, \$32,759.46.

Operating data.—Gross earnings from operation, \$28,744.80; operating expenses, \$15,970.58. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.); total (n. r.). Electricity generated by water power. Water wheel h. p. 1,000. Generator capacity, 462 kw.

Rates charged.—For commercial service, flat rates: arc service, \$42 per year, 4 nights a week; \$54, every night; incandescent service, business places \$7 per lamp per year per 16 c. p. l.; residences, 1 to 10 lamps, \$6 to \$3.30; over 10 lamps, \$1.50 each. Rate for metered arc and incandescent service: residences, 15c. per kw. h.; business places, 10c. per kw. h.; rates for power $\frac{1}{2}$ to 10 h. p., \$35 to \$30 per h. p.; rates for metered power service, 4c. per kw. h.; discounts 16 2-3 per cent. to 40 per cent. For public service in Greenwich: arc street lighting, number of arc lamps, inclosed 15, c. p. 2,000; schedule all night; price per lamp per annum, \$50.

Remarks.—For further rates charged for public service, see Schuylerville, Victory Mills and Cambridge.

GREENWOOD.

(Population, 400.)

Mutual Gas Company, Limited; supplies natural gas.

Remarks.— For financial and operating data and rates charged, see Andover.

GRIFFIN CORNERS.

(Population, 500.)

Catskill Mountain Gas Co.; acetylene gas.

Financial data.— Capitalization: common stock issued, \$9,000; bonds outstanding, none; dividends, none.

Operating data.— Gross earnings from operation, \$2,368.43; operating expenses, \$1,776.60; daily capacity (n. r.); length of main, 13,496 feet.

Rates charged.— For commercial service: lighting, \$15 per 1,000 cubic feet.

GROTON.

(Population, 1,300.)

Supplied by municipal electric plant service furnished, public and commercial. Date of beginning operation (n. r.).

Financial data.— Total assessed valuation of real estate in village, \$409,040; bonds, authorized, \$11,000; issued, \$11,000; interest, rate $3\frac{1}{2}$ per cent. Appropriation since June 30, 1905, for street lighting, \$2,500. Construction and equipment (n. r.).

Operating data.— Gross earnings from operation, \$3,580.28; operating expenses, \$4,617; deficit, \$1,086.72. Total kw. h. sold (n. r.); number of consumers, 155.

Rates charged.— For commercial service, lighting: meter rate, 6 2-3c. per kw. h.

HAILESBORO.

(Population, 243.)

Oswegatchie Light and Power Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Gouverneur.

HALESITE.

Huntington Gas Co.; kind of gas, water.

Remarks.— For financial and operating data and rates charged, see Huntington.

Huntington Light and Power Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Huntington.

HAMILTON.

(Population, 1,654.)

Supplied by municipal electric plant; service furnished public and commercial. Date of beginning operation, 1895.

Financial data.—Total assessed valuation of real estate in village, \$800,000; bonds, authorized, \$20,000; issued, \$20,000; interest, rate 4 per cent. Appropriation since June 30, 1905, for street lighting (n. r.). Construction and equipment (n. r.).

Operating data.—Gross earnings from operation, \$7,884.60; operating expenses, \$7,579.05; net income (n. r.). Total kw. h. sold (n. r.); number of consumers, 220.

Rates charged.—For commercial service, lighting: flat rate, 50c. per month; meter service, price per year first 3,333 ampere hours, 1½c. per ampere hour; next 1,666 ampere hours, 1¼c. per ampere hour; next 1,667 ampere hours, 1c. per ampere hour; all over, ¾c.; for power service, 8c. per kw. h.

HAMPTON.

Fairhaven Electric Company; supplies electricity (a Vermont lighting company furnishing a few street and commercial lights in the village of Hampton without franchise).

Financial data.—Total amount of investment in New York State, \$1,000.

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.).

Rates charged.—For commercial service: ¾c. per 16 c. p. l. hour; discounts, 10 per cent. to 33½ per cent. For public service, arc street lighting: number of arc lamps, open 3; c. p., 1,200; schedule, all night, 4,000 hours per year; incandescent street lighting: number of incandescent street lamps, 1; c. p., 25; schedule, all night, 4,000 hours per year; \$125 subscribed for street arc and incandescent lighting.

HAMMONDSPORT.

(Population, 1,134.)

Hammondsport Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$10,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$14,321; total assets, \$614,883.70. Liabilities: capital account, total (exclusive of

profit and loss account), \$10,000. Profit and loss, surplus, \$4,882.70.

Operating data.—Gross earnings from operation, \$5,332.20; operating expenses, \$4,900.50. Total amount of electricity generated, 108,825 kw. h.; amount sold, 98,932 kw. h.; amount unaccounted for, 9,893 kw. h., equals 10 per cent. Connected load, street lights, 13 kw.; connected load, commercial lights, 47 kw.; total, 60 kw. Meters, 780 amperes; service transformers, 87.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 200; engine, h. p., 200; generator capacity, 105 kw.

Rates charged.—For commercial service, flat rates: incandescent service, \$1 per month net, small consumers; rate for metered arc and incandescent service, 10c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed 20, of 6.6 amperes; schedule, all night; 4,215 hours per annum; price per lamp per annum, \$65. Incandescent street lighting: number of incandescent street lamps, 6; c. p., 50; schedule, all night, 4,215 hours per year; price per lamp per annum, \$24.

HANCOCK.

(Population, 1,381.)

Deposit Electric Company; supplies electricity.

Remarks.—See Deposit for rates charged for commercial service and financial and operating data of this company.

HANNAWAH FALLS.

Northern Power Company; supplies electric current to Ogdensburg Power and Light Company in bulk; office, Potsdam.

Financial data.—Capitalization: common stock, no stock or bonds issued.

Operating data.—Operations had not been commenced June 30, 1906; the plant was under construction.

HANNIBAL.

(Population, 386.)

Individual plant; name of owner, John McFarland; supplies acetylene gas. Construction and equipment (n. r.). Number of cubic feet sold (n. r.).

Rates charged.—(n. r.).

HANOVER.

South Shore Natural Gas and Fuel Company; supplies natural gas.

Remarks.— For financial and operating data and rates charged, see Dunkirk.

HARRISON.

(Population, 2,922.)

Westchester Lighting Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for electric service, see Mount Vernon.

HARRISVILLE.

(Population, 780.)

Harrisville Electric Light and Power Company; supplies electricity.

Financial data.— Capitalization: common stock, \$7,900; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$9,500; total assets, \$10,791.28. Liabilities: capital account, \$7,900; total, \$11,400; profit and loss, deficiency, \$608.72.

Operating data.— Gross earnings from operation (n. r.); operating expenses (n. r.). Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights, 23 kw. Meters, none; service transformers, 42.9 kw. capacity. Electricity generated by water power. Water wheel h. p., 100; generator capacity, 50.

Rates charged.— For commercial service, flat rates: incandescent service, 10c. per week per 16 c. p. l.; 8c. per 10 c. p. l.; 6c. per 8 c. p. l.; 20 lights at 5c each. For public service: incandescent street lighting, number of incandescent street lamps, 36; c. p. 30; schedule, dusk to 1 A. M.; price per lamp per annum, \$12.

HASTINGS.

(Population, 3,060.)

Westchester Lighting Company; supplies electricity.

Rates charged — Electric.— For public service, arc street lighting: number of arc lamps enclosed, 2; c. p., 1,200; New York city schedule, 3,950 hours per year; price per lamp per annum \$115. Incandescent street lighting: number of incandescent street lamps, 143; c. p., 25; New York city schedule; 3,950 hours per year; price per lamp per annum, \$27.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

HAVERSTRAW.

(Population, 6,182.)

Rockland Light and Power Company; supplies electricity.

Rates charged.— For public service, arc street lighting: number of arc lamps enclosed, 26; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$88. Incandescent street lighting: number of incandescent street lamps, 116, c. p., 25; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$19.

Remarks.— For financial and operating data and rates charged for commercial service, see Nyack.

HEMPSTEAD.

(Population, 4,145.)

Queens Borough Gas and Electric Company; supplies water gas and electricity.

Rates charged — Gas.— For commercial service, same rate as charged by this company in borough of Queens; see New York city, borough of Queens.

Rates charged — Electric.— For commercial service: same rate as charged by this company in borough of Queens; see New York city, borough of Queens.

Remarks.— For financial and operating data see New York city, borough of Queens.

Nassau and Suffolk Lighting Company; kind of gas, water; also supplies Rockville Centre, Baldwin, Garden City, Freeport and town of Hempstead.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.— Capitalization: common stock, \$500,000; bonds outstanding, \$500,000; dividends, none.

Operating data.— Gas sold, 18,000,000 cubic feet.

Rates charged.— For commercial service, lighting and fuel, \$1.50. No public service.

Nassau Light and Power Company; supplies electricity.

Rates charged.— For public service, arc street lighting: number of arc lamps, enclosed, 55; c. p., 2,000; schedule, all night; 4,000

hours per year; price per lamp per annum, \$80. Incandescent street lighting: number of incandescent street lamps, 110; c. p., 30; schedule, all night; 4,000 hours per year; price per lamp per annum, \$20.

Remarks.—For financial and operating data and rates charged for commercial service, see Roslyn.

HERKIMER.

(Population, 6,596.)

Herkimer County Light and Power Company; supplies coal gas.

Rates charged—Gas.—For commercial service, same as charged by this company in Little Falls. See Little Falls.

Remarks.—For financial and operating data and rates charged for commercial gas service, see Little Falls.

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation, 1891.

Financial data.—Total assessed valuation of real estate in village, \$3,420,241; bonds, authorized, \$33,000; issued, \$27,000; interest, rate 3.5 and 4 per cent. Appropriation since June 30, 1905, for street lighting, nothing. Construction and equipment (n. r.)

Operating data.—Gross earnings from operation \$17,219.42; operating expenses, \$4,108.75; net income (n. r.). Total kw. h. sold (n. r.); number of consumers, 489.

Rates charged.—For commercial service, lighting: flat rates, 30c. per month per 16 c. p. l., with 5c. discount; metered service, 10c. per kw. h., with discounts of from 5 to 20 per cent. for prompt payment. Power service: flat rate, \$4 per month per h. p.; metered rate, from 2c. to 5c. per kw. h., according to quantity.

HERMON.

(Population, 517.)

Hermon Electric Light Company.

(This plant was operated only about two months during the past year and no report has been received.)

HEWLETTS.

Queens Borough Gas and Electric Company; supplies water gas and electricity.

Rates charged — Gas.—For commercial service: same rate as charged by this company in borough of Queens. See New York city, borough of Queens.

Rates charged — Electric.—For commercial service, same rate as charged by this company in borough of Queens. See New York city, borough of Queens.

Remarks.—For financial and operating data and rates charged for commercial gas and electric service. See New York city, borough of Queens.

HICKSVILLE.

Nassau Light and Power Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 54; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$15.

Remarks.—For financial and operating data and rates charged for commercial service, see Roslyn.

HIGHLAND FALLS.

(Population, 4,000.)

Buttermilk Falls Electric Company; supplies electricity.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: bonds outstanding, \$15,000.

Operating data.—Electricity generated by water power. Water wheels, h. p., 200.

Rates charged.—For commercial service, flat rates: incandescent service, stores and business places, \$1 per month per 16 c. p. l.; discount, 10 per cent.; rates charged for metered arc and incandescent service, 15c. per kw. h.; discount, 12½ per cent. For public service, incandescent street lighting: number of incandescent street lamps, 100; c. p., 25; schedule, all night, every night; number of hours, 4,000; price per lamp per year, \$15.

HILLBURN.

(Population, 878.)

Rockland Electric Company; supplies electricity; also supplies Suffern and Ramapo, N. Y.; township of Hohokus, boroughs of Allendale and Saddle River, N. J.

Financial data.—Capitalization: common stock, \$230,000; bonds outstanding, \$230,000; interest, 5 per cent.; amount, \$11,-

181.28; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$536,519.52; total assets, \$637,078.07. Liabilities: capital account, \$460,000; total (exclusive of profit and loss account), \$619,115.81. Profit and loss, surplus, \$17,962.26.

Operating data.—Gross earnings from operation, \$70,062.40; operating expenses, \$43,264.97. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 48 kw.; connected load, commercial lights, 550 kw.; power, 1,080 kw.; total, 1,678 kw. Meters, 3,035 amperes; service transformers, 535.5 kw. capacity. Electricity generated by gas engine power. Engine, h. p., 1,900; generator capacity, 1,355 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 20c. per kw. h.; discounts, 40 per cent., 45 per cent., and 50 per cent.; minimum, 75c. per month. For public service in Hillburn, incandescent street lighting: number of incandescent street lamps, 50; c. p., 20; schedule, all night moon-light; price per lamp per annum, \$15.

Remarks.—For further rates charged for public service, see Suffern.

HOBART.

(Population 503.)

West Branch Light and Power Company; supplies electricity.

Remarks.—For financial data, see Stamford.

HOGANSBURG.

(Population, 300.)

Individual plant; name of owner, Maurice W. Lantry; supplies electricity; motive power, water. Construction and equipment, \$1,330. Number of consumers, 38.

Rates charged.—Commercial service lighting: flat rate, 25c. per lamp per month; public service: incandescent street lighting, \$4.37 per lamp per year.

HOLCOMB.

Ontario Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Honeoye Falls.

HOLLEY.

(Population, 1,500.)

Supplied by municipal electric plant service furnished, public and commercial. Date of beginning operation, 1902.

Financial data.—Total assessed valuation of real estate in village (n. r.); bonds authorized, \$15,000; issued, \$15,000; interest, rate 4 per cent. Appropriation since June 30, 1905, for street lighting, \$1,100. Construction and equipment, \$15,955.48.

Operating data.—Gross earnings from operation, \$5,317.69; operating expenses, \$4,071.81; net income, \$1,310.98. Total kw. h. sold (n. r.). Number of consumers, 131.

Rates charged.—For commercial service, lighting: flat rates, 16 c. p. l., 70c. per month; 8 c. p. l., 50c. per month; metered rate, 5 kw. h. per month, 75c., minimum charge; 5 to 15 kw. h., 14c. per kw. h.; 15 to 30 kw. h., 18c. per kw. h.; 30 to 50 kw. h., 12c. per kw. h.; 50 to 100 kw. h., 11c. per kw. h.; 100 to 150 kw. h., 10c. per kw. h.; over 150 kw. h., 9c. per kw. h.

HOMER.

(Population, 2,536.)

• **Homer and Cortland Gas Light Company**; kind of gas, coal; also supplies Cortland; total population, 11,500.

Financial data.—Capitalization: common stock issued, \$100,000; bonds outstanding, \$150,000; interest, rate 5 per cent.; amount, \$5,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$233,529.34; total assets, \$294,646.93. Liabilities: capital account, \$258,340; total (exclusive of profit and loss account), \$274,032.31. Profit and loss, surplus, \$20,614.62. Capitalization per mile of main, \$18,436; construction account per mile of main, \$17,327.

Operating data.—Gross earnings from operation, \$34,620.02; operating expenses, \$22,002.15. Gas produced, 22,690,000 cubic feet; gas sold, 20,179,500 cubic feet; gas used by company, 409,900 cubic feet; gas unaccounted for, 2,120,700 cubic feet; percentage of gas unaccounted for, 9.3. Number of meters in service, 1,385. Miles of main (n.r.). Gas sold per capita, 1,755 cubic feet; gas sold per consumer, 14,500 cubic feet; gas sold per mile of main, 1,494,800 cubic feet; number of consumers per mile of main, 102. Residuals: coke, 1,702 net tons; tar, 33,082 gallons.

Rates charged.—For commercial service: lighting, \$1.75 gross, \$1.50 net; for fuel, \$1.75 gross. Special rates to large consumers.

HOMER, Town of.

(Population, 2,500.)

Cortland County Traction Company.

Rates charged.—For public service, arc street lighting: number of arc lamps, open 44; c. p., 2,000; schedule, dusk to midnight; price per lamp per night, 25c.

Remarks.—For financial and operating data and rates charged by this company for commercial service, see Cortland.

HONEOYE FALLS.

(Population, 1,208.)

Lima-Honeoye Electric Light and Railway Company; supplies electricity.

Remarks.—For financial and operating data and rates charged, see Lima.

Ontario Gas Co.; supplies natural gas in Honeoye Falls, Lima, Holcomb, East Bloomfield and West Bloomfield.

Financial data.—Capitalization: common stock issued, \$200,000; bonds outstanding, \$43,000; interest, rate 6 per cent.; amount (n. r.); dividends, none.

Operating data.—Gross earnings from operation, \$37,398.34; operating expenses, \$14,046.06. Number of wells operating, 12. Gas sold, 137, 462, 300 cubic feet. Miles of main, 41 miles, 4,342 feet.

Rates charged.—For commercial service: lighting and fuel, 30c., with 10 per cent. discount for prompt payment. For public service, street lighting: number of lamps, 60; price per lamp, \$1 per month.

Remarks.—This report is as of October 31, 1906.

HOOSICK.

(Population, 1,000.)

Hoosick Falls Illuminating Company; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lamps, enclosed 12; c. p., 1,200; schedule, 2 A. M., every night; 2,600 hours per year; price per lamp per annum,

\$60; incandescent street lighting: number of incandescent street lamps, 4; c. p., 32; schedule, 2 A. M., every night; 2,800 hours per year; price per lamp per year, \$18.

Remarks.—For financial and operating data and rates charged for commercial service, see Hoosick Falls.

HOOSICK FALLS.

(Population, 5,251.)

Hoosick Falls Illuminating Company; supplies Hoosick Falls and Hoosick with electricity.

Financial data.—Capitalization: common stock, \$100,000; preferred stock, \$50,000; bonds outstanding, \$112,500; interest, 5 per cent.; amount, \$5,625; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$265,945.63; total assets, \$317,259.47. Liabilities: capital account, \$300,000; total (exclusive of profit and loss account), \$313,297.05. Profit and loss, surplus, \$3,962.42.

Operating data.—Gross earnings from operation, \$28,735.47; operating expenses, \$19,148.05. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 3,172 amperes; service transformers, 412 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 500; engine, h. p., 350; water wheel, h. p., 740; generator capacity, 400 kw.

Rates charged.—For commercial service, flat rates: incandescent service 50c. per month per 16 c. p. l. Rates for metered arc and incandescent service, 15c. per kw. h.; for consumption equivalent to 50 hours' use of total installation per month; excess, 7½c. per kw. h. Total installation for residences, taken at 40 per cent. of connected lights; for stores and business places, taken at total number of connected lights. For public service in Hoosick Falls, arc street lighting: number of arc lamps, enclosed, 74; c. p., 1,200; schedule, all night every night; 4,000 hours per year; price per lamp per annum, \$77.50. Incandescent street lighting: number of incandescent street lamps, 6; c. p., 32; schedule, all night every night; 4,000 hours per year; price per lamp per annum, \$24.

Remarks.—For further rates charged for public service, see Hoosick.

Fidelity Gas Co.; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$75,000; bonds outstanding, \$75,000; interest, rate 5 per cent.; amount, \$3,750; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$151,195.53; total assets, \$156,841.76. Liabilities: capital account, \$150,000; total liabilities, \$170,841.41; profit and loss deficit, \$13,999.65. Capitalization per mile of main, \$24,000; construction account per mile of main, \$27,490.

Operating data.—Gross earnings from operation, \$10,354.91; operating expenses, \$11,043.41. Gas produced, 7,438,600 cubic feet; gas sold, 6,206,500 cubic feet; gas used by company, 36,600 cubic feet; gas unaccounted for, 872,100 cubic feet; percentage of gas unaccounted for, 11.7. Meters in service, 342. Miles of main, 5 miles, 3,040 feet. Gas sold per capita 10,344 cubic feet; gas sold per consumer, 16,078 cubic feet; gas sold per mile of main, 1,128,454 cubic feet; number of consumers per mile of main, 65. Residuals: coke, 462 net tons; tar, 6,000 gallons.

Rates charged.—For commercial service: lighting, \$1.60; fuel, \$1.60. Over 500 and less than 10,000 cubic feet, discount of 10c.; between 10,000 and 20,000 cubic feet, discount of 20c.; over 50,000 cubic feet, discount 30c.; minimum, 80c.

HORNELL.

(Population, 13,369.)

Hornell Gas Light Co.; supplies natural gas.

Financial data.—Capitalization: common stock issued, \$75,000; bonds outstanding, \$100,000; interest, rate 5 per cent.; amount, \$5,250; dividends, none.

Operating data.—Gross earnings from operation, \$33,517.93; operating expenses, \$10,062.28; number of wells operating (n. r.). Gas sold (n. r.). Miles of main, 22 miles.

Rates charged.—For commercial service: lighting and fuel, 30c., with 10 per cent. discount for prompt payment; power, 25c., with 10 per cent. discount.

American Illuminating Company of Hornellsville; supplies electricity.

Financial data.—Capitalization: common stock, \$82,500; bonds outstanding, \$75,000; interest, 5 per cent.; amount, \$3,750;

dividends, rate 6 per cent.; total, \$4,887; balance sheet, June 30, 1906. Assets: Construction and equipment account, \$157,468.94; total assets, \$176,298.01. Liabilities: capital account, \$157,500; total (exclusive of profit and loss account), 158,387.83. Profit and loss, surplus, \$17,910.18.

Operating data.—Gross earnings from operation, \$47,947.09; operating expenses, \$30,445.70. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 85 kw.; connected load, commercial lights, 512 kw.; power, 66 kw.; total, 663 kw. Meters, 2,852 amperes capacity. Electricity generated by steam power. Boiler, h. p., 700; engine, h. p., 1,075; generator capacity, 693 kw.

Rates charged.—For commercial service, flat rates: arc service, till 8 p. m., \$4.25 per month; until 10 p. m., \$4.75 per month; till 12 m., \$5.55; and all night, \$8. Incandescent service: until 12 m., 60c. per month; all night, \$1 for 16 c. p. l.; minimum, \$1 per month. Rates for metered arc and incandescent service, 15c. to 7c. per kw. h.; minimum, \$1 per month. Rates for metered power service, 10c. to 2½c. per kw. h.; minimum, \$1 per month. For public service, arc street lighting: number of arc lamps, enclosed, 99; c. p., 2,000; schedule, all night, every night; 4,300 hours per year; price per lamp per year, \$85. Incandescent street lighting: number of incandescent street lamps, 21; c. p., 25; schedule, all night, every night, 4,300 hours per year; price per lamp per year, \$14.

HUDSON.

(Population, 10,290.)

Albany and Hudson Railroad Company; supplies coal gas and electricity.

Rates charged—Gas.—For commercial service: same as charged by this company in Rensselaer; see Rensselaer.

Rates charged—Electric. For public service: arc street lighting, number of arc lamps, inclosed, 117; schedule, all night, every night; 3,900 hours per year; price, per lamp per annum, \$95.

Remarks.—For financial and operating data and rates charged for commercial gas and electric service, see Rensselaer.

HUNTER.

(Population, 524.)

Schoharie Light and Power Company; supplies electricity; also supplies town of Hunter.

Remarks.—For financial and operating data and rates charged for commercial service, see Tannersville.

HUNTINGTON.

Huntington Light and Power Company; supplies electricity; also supplies villages of Halesite and Cold Spring, also territory known as East Neck and Bay Crest and West Neck and Lloyds Neck.

Financial data.—Capitalization: common stock, \$48,800; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$83,150.71; total assets, \$86,138.96. Liabilities: capital account, \$48,800; total, \$90,400. Profit and loss, deficiency, \$4,261.04.

Operating data.—Gross earnings from operation, \$15,786.87; operating expenses, \$19,907.76. Total amount of electricity generated, 272,064 kw. h.; amount sold, 181,572 kw. h.; amount unaccounted for, 90,492 kw. h.; equals 33 per cent.; total connected load, 300 kw. Meters, 3,065 amperes; service transformers, 355.7 kw. capacity. Electricity generated by steam power. Boiler, h. p., 468; engine, h. p., 300; generator capacity, 281 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 15c. per kw. h.; minimum, \$1 per month. Rates for metered power service, 15c. per kw. h.; minimum, \$1. For public service: incandescent street lighting in the villages of Huntington and Cold Spring and outlying districts; number of incandescent street lamps, 174; c. p., 20; schedule, midnight; 2,000 hours per year; price per lamp per annum, \$16.25.

Huntington Gas Company; kind of gas, water; also supplies Halesite. Total population, 10,500.

Financial data.—Capitalization: common stock issued, \$60,000; bonds outstanding, \$60,000; interest, rate 5 per cent.; amount, \$3,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$120,000; total assets, \$121,314.99. Liabilities: capital account, \$120,000; total (exclusive of profit and loss account), \$120,171.68. Profit and loss, surplus, \$1,143.31. Capitalization per mile of main, \$18,750; construction account per mile of main, \$18,461.

Operating data.—Gross earnings from operation, \$12,806.95; operating expenses, \$9,071.49. Gas produced, 9,261,000 cubic

feet; gas sold to other companies, 2,243,800 cubic feet; gas sold to consumers, 5,959,900 cubic feet; gas used by company (n. r.); gas unaccounted for, 1,057,300 cubic feet; percentage of gas unaccounted for, 12. Number of meters in service, 510. Miles of main, 6 miles, 1,949 feet. Gas sold per capita, 2,300 cubic feet; gas sold per consumer, 11,500 cubic feet; gas sold per mile of main, 1,170,000 cubic feet. Number of consumers per mile of main, 81.

Rates charged.—For commercial service: lighting, \$2.20 gross, \$2 net; fuel, \$1.60; discount of 10c. per 1,000 cubic feet for fuel.

HYDE PARK.

(Population, 2,945.)

Poughkeepsie Light, Heat and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Poughkeepsie.

ILION.

(Population, 5,924.)

Herkimer County Light and Power Company; supplies coal gas.

Rates charged—Gas.—For commercial service: same as charged by this company in Little Falls; see Little Falls.

Remarks.—For financial and operating data and rates charged for commercial gas service by this company, see Little Falls.

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation (n. r.).

Financial data.—Total assessed valuation of real estate in village, \$1,705,774; bonds, authorized (n. r.); issued (n. r.). Appropriation since June 30, 1905, for street lighting, \$7,200. Construction and equipment (n. r.).

Operating data.—Gross earnings from operation, \$37,615.39; operating expenses, \$35,393.28; net income (n. r.). Total kw. h. sold (n. r.); number of consumers, 350.

Rates charged.—For commercial service, lighting, flat rates: 25c. per month for one 16 c. p. l.; metered rates, 10c. per kw. h., with discount of 10 per cent. on bills over \$5, and 5 per cent. on bills under \$5. Power service: from 3¾c. per h. p. h. up to 500 h. p. h., to 2½c. for over 5,000 h. p. h.

INTERLAKEN.

(Population, 700.)

Ovid Electric Company; supplies electricity.

Rates charged.—For public service: incandescent street lighting; number of incandescent lamps, 34; c. p., 25; schedule, all dark hours; about 3,000 hours per year; price per lamp per annum, \$18.

Remarks.—For financial and operating data and rates charged for commercial service, see Ovid.

INWOOD.

Queens Borough Gas and Electric Company; supplies electricity.

Rates charged — Electric.—For commercial service: same rate as charged by this company in borough of Queens; see New York city, borough of Queens.

Remarks.—For financial and operating data and rates charged for commercial electric service, see New York city, borough of Queens.

IRONDEQUOIT.

(Population, 3,160.)

Rochester Railway and Light Company; supplies electricity.

Rates charged — Electric.—For commercial service: same rate as charged by this company in Rochester; see Rochester.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Rochester.

IRVINGTON.

(Population, 2,480.)

Westchester Lighting Company; supplies electricity.

Rates charged — Electric.—For public service: incandescent street lighting; number of incandescent street lamps, 129; c. p., 25; New York city schedule; 3,950 hours per year; price per lamp, per annum, \$25.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

ISLIP.

The Suffolk Gas and Electric Light Company; supplies water gas.

Rates charged — Gas.— For commercial service: same rates as charged by this company in Bay Shore; see Bay Shore.

Remarks.— For financial and operating data and rates charged for commercial gas service, see Bay Shore.

ITHACA.

(Population, 13,000.)

Ithaca Gas Light Co.; kind of gas, coal.

Financial data.— Capitalization: common stock issued, \$200,000; bonds outstanding, \$200,000; interest, rate 5 per cent.; amount, \$10,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$303,725.49; total assets, \$472,579.21. Liabilities: capital account, \$400,000; total (exclusive of profit and loss account), \$451,627.48. Profit and loss, surplus, \$20,951.73. Capitalization per mile of main, \$24,540; construction account per mile of main, \$18,600.

Operating data.— Gross earnings from operation, \$57,501.71; operating expenses, \$32,562.61. Gas produced, 42,713,300 cubic feet; gas sold, 38,416,600 cubic feet; gas used by company, 984,700 cubic feet; gas unaccounted for, 2,740,300 cubic feet; percentage of gas unaccounted for, 6.81. Number of meters in service, 1,757. Miles of main (n. r.). Gas sold per capita, 3,000 cubic feet; gas sold per consumer, 22,900 cubic feet; gas sold per mile of main, 2,398,472 cubic feet; number of consumers per mile of main, 106. Residuals: coke, 3,210 net tons; tar, 62,300 gallons.

Rates charged.— For commercial service: lighting, gross, \$1.60, net, \$1.50; fuel, \$1.30. Combination, rate of \$1.40. For public service: street lighting, number of lamps, 48; number of hours lighted during year, 4,000; price per lamp per annum, \$12.

Ithaca Electric Light and Power Company; supplies electricity.

Financial data.— Capitalization: common stock, \$200,000; preferred stock, \$100,000; bonds outstanding, \$75,000; interest, 5 per cent.; amount, \$2,750; dividends, 7 per cent. on preferred; amount, \$7,000; 4 per cent. on common; amount, \$8,000; balance sheet, June 30, 1906. Assets, construction and equipment account, \$420,694.60; total assets, \$428,111.04. Liabilities: capital account, \$375,000; total (exclusive of profit and loss account), \$386,777.53. Profit and loss, surplus, \$41,333.51.

Operating data.—Gross earnings from operation, \$61,842.81; operating expenses, \$29,315.64. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street service, 85 kw.; connected load, commercial lights, 1,100 kw.; total, 1,185 kw. Meters, 11,805 amperes; service transformers, 667.5 kw. capacity. Current purchased.

Rates charged.—For commercial service, flat rates: arc and incandescent service, no regular schedule of prices. Rates for metered arc and incandescent service, 15c. to 5c. per kw. h. Rates for metered power service, 8c. per kw.-h.; discount, 5 per cent. on all rates above 5c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 131; c. p., 2,000; schedule, 1 hour after sunset to $\frac{1}{2}$ hour before sunrise; price per lamp per annum, \$91.25.

JAMESTOWN.

(Population, 26,160.)

Jamestown Lighting and Power Company; supplies electricity; also supplies Celoron village and Park.

Financial data.—Capitalization: common stock, \$100,000; bonds outstanding, \$56,000; interest, 5 per cent.; amount, \$2,800; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$159,229.68; total assets, \$165,382.84. Liabilities: capital account, \$156,000; total (exclusive of profit and loss account), \$157,110.08. Profit and loss, surplus, \$8,272.76.

Operating data.—Gross earnings from operation, \$31,491.85; operating expenses, \$25,508.79. Total amount of electricity generated, 881,750 kw. h.; amount sold, 617,225 kw. h.; amount unaccounted for, 264,525 kw. h.; equals 30 per cent. Connected load, street lights, 89 kw.; connected load, commercial lights, 826 kw.; power, 121 kw.; total, 1,036 kw. Meters, 6,955 amperes; service transformers, 3,104 kw. capacity. Electricity generated by steam power. Boiler, h. p., 525; engine, h. p., 800; generator capacity, 588 kw.

Rates charged.—For commercial service: rate for metered arc and incandescent service, 10c. to 7c. per kw. h.; discount, 10 per cent.; rate for power same, with special rates for large consumers. No public service.

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation, 1891.

Financial data.—Total assessed valuation of real estate in city, \$11,205,460; bonds, authorized, \$62,000; issued, \$56,000; interest, rate 4 per cent. Appropriation since June 30, 1905, for street lighting, \$12,500. Construction and equipment, \$107,051.37.

Operating data.—Gross earnings from operation, \$23,285.74; operating expenses, \$23,285.74; net income, \$7,596.12. Total kw. h. sold, 972,261; number of consumers, 151.

Rates charged.—For commercial service, lighting, flat rate: 10 o'clock lighting, 40c. each per month, with 10 per cent. discount; 1 o'clock lighting, 50c. each per month, with 10 per cent. discount. Metered rates from 10c. to 5c. per kw. h., with 10c. off. For public service, lighting public buildings: arc and incandescent, 4c. per kw. h.

Remarks.—Net income includes appropriations for redemption of bonds, \$2,000; for interest on bonds, \$2,300, and for extension and increase in book accounts and supplies, \$3,296.12; total, \$7,596.12.

JOHNSTOWN.

(Population, 9,845.)

Fulton County Gas and Electric Company; supplies water gas and electricity.

Rates charged—Gas.—For commercial service: same as charged in Gloversville; see Gloversville.

Rates charged—Electric.—For public service, arc street lighting: number of arc lamps, enclosed, 106; schedule, all night every night; 4,000 hours per year; price per lamp per annum, \$86.40. Incandescent street lighting: number of incandescent street lamps, 1; c. p., 65; schedule, all night every night; 4,000 hours per year; price per lamp per annum, \$25.

Remarks.—For financial and operating data and rates charged for commercial gas and electric service, see Gloversville.

JORDAN.

(Population, 550.)

Jordan Electric Light and Power Company; supplies electricity; also supplies Elbridge.

Financial data.—Capitalization: common stock, \$10,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$3,607.74; operating expenses, \$4,385.92. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 10 kw.; connected load, commercial lights, 25 to 40 kw. Meters (n. r.); service transformers (n. r.). Electricity generated by water and steam power. Boiler, h. p., 100; engine, h. p., 45; generator capacity, 90 kw.

Rates charged.—For commercial service, flat rates: incandescent service, residences, \$3 per year first light (16 c. p. basis), \$6 second, \$4 third, and \$2 above third; business places, 2½c. per night. Rates for metered arc and incandescent service, 10c. per kw. h. For public service in Jordan, arc street lighting: number of arc lamps, open, 20; c. p., 1,200; schedule, moonlight; 2,700 hours per year; price per lamp, \$50.

Remarks.—For further rates charged for public service, see Elbridge.

KARNERS.

(Population, 200.)

Schenectady Illuminating Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Schenectady.

KATONAH.

Individual plant; name of owner, George Juengst & Sons; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Croton Falls.

KEENE CENTER.

(Population, 150.)

Ausable Valley Light, Heat and Power Company; supplies electricity.

Financial data.—Capitalization: common stock (not issued), \$30,000; bonds, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$789.32; operating expenses (n. r.). Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load (n. r.). Meters, 150 amperes; service transformers, 16.5 kw. capacity. Electricity generated by water power. Water wheels, h. p., 150; generator capacity, 120 kw.

Rates charged.—For commercial service: rate for metered arc and incandescent service, 10c. per kw. h. For public service, incandescent street lighting: number of incandescent street lamps, 25; c. p., 32; schedule (n. r.); price per lamp per annum (n. r.).

KEESEVILLE.

(Population, 1,955.)

Keeseville Electric Company; supplies electricity; also supplies Ausable Chasm, Port Kent and Peru.

Financial data.—Capitalization: common stock, \$30,000; bonds outstanding, \$40,000; interest, 5 per cent.; amount, \$2,000; dividends, 6 per cent.; amount, \$1,800; balance sheet, June 30, 1906. Assets, construction and equipment account, \$78,053.13; total assets, \$79,949.98. Liabilities: capital account, \$70,000; total (exclusive of profit and loss account), \$70,767.24. Profit and loss, surplus, \$9,182.74.

Operating data.—Gross earnings from operation, \$7,643.47; operating expenses, \$3,730.55. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, arc service (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 1,925 amperes; service transformers, 158 capacity. Electricity generated by water power. Water wheel, h. p., 500; generator capacity, 120 kw.

Rates charged.—For commercial service, flat rates: arc service, \$42 per lamp per year; incandescent service, \$6, \$8 and \$15 per lamp per year. Rates for metered arc and incandescent service, 10c. and 12½c. per kw. h. up to 50 kw. h., then half price. For public service in Keeseville, arc street lighting: number of arc lamps, open, 31; c. p., 2,000; schedule, moonlight; 2,770 hours per year; price per lamp per annum, \$42. Incandescent street lighting: number of incandescent street lamps, 13; c. p., 16; schedule, moonlight; 2,750 hours per year; price per lamp per annum, \$8.

Remarks.—For further rates charged for public service, see Peru.

KENMORE.

Niagara Light, Heat & Power Co., kind of gas, coal; also natural.

Remarks.—For financial and operating data and rates charged, see Tonawanda.

KINDERHOOK.

(Population, 856.)

Albany and Hudson Railroad Company; supplies electricity.

Rates charged — Electric.— For public service, arc street lighting: number of arc lamps, enclosed, 4; schedule, moonlight, 1 A. M.; 2,016 hours per year; price per lamp per annum, \$66. Incandescent street lighting: number of incandescent street lamps, 54; c. p., 25; schedule, moonlight to 1 A. M.; 2,016 hours per year; price per lamp per annum, \$13.20.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Rensselaer.

KINGSBRIDGE.

Westchester Lighting Company; supplies water gas.

Remarks.— For financial and operating data and rates charged for gas service, see Mount Vernon.

KINGSTON.

(Population, 24,535.)

Kingston Gas and Electric Co.; supplies coal gas and electricity in city of Kingston, and electricity in towns of Esopus, Ulster and Hurley. Total population, 35,817.

Financial data.— Capitalization: common stock issued, \$700,000; bonds outstanding, \$699,500; interest, rate 5 per cent.; amount, \$34,975; dividends, rate $2\frac{13}{16}$ per cent.; amount, \$19,885.63; balance sheet, June 30, 1906. Assets: construction and equipment account (gas and electric), \$509,277.29; total assets, \$1,562,401.51. Liabilities: capital account, \$1,399,500; total (exclusive of profit and loss account), \$1,560,324.21. Profit and loss, surplus, \$2,077.30. Capitalization per mile of main (n. r.); construction account per mile of main, \$10,484.

Operating data — Gas.— Gross earnings from operation, \$80,371.26; operating expenses, \$53,085.99; gas produced, \$54,714,200 cubic feet; gas sold, 47,632,400 cubic feet; gas used by company, 543,700 cubic feet; gas unaccounted for, 5,693,400 cubic feet; percentage of gas unaccounted for, 1,035; number of meters in service, 2,549. Miles of main, 36 miles, 3,468 feet. Gas sold per capita, 1,863 cubic feet; gas sold per consumer, 17,758 cubic feet; gas sold per mile of main, 1,323,700 cubic feet; number of consumers per mile of main, 74; residuals: coke, 3,332 net tons; tar, 70,969 gallons; ammoniacal liquor, 9,507 gallons.

Operating data—Electric.—Gross earnings from operation, \$59,748.50; operating expenses, \$33,670.06; total amount of electricity generated, 1,093,010 kw. h.; amount sold, 854,530 kw. h.; amount unaccounted for, 238,480 kw. h., equal 21.8 per cent.; Connected load, street lights, 149 kw.; commercial lights, 1,037 kw.; power, 186 kw.; total, 1,372 kw.; meters, 1,420 amperes; service transformers, 747.85 kw. capacity; electricity generated by steam power; and current purchased from water power plant. Boiler, h. p., 650; engine, h. p., 665; generator capacity, 500 kw.

Rates charged—Gas.—For commercial service: lighting and fuel, \$1.40 gross, discounts 10c. to 65c.; special rates, \$1 for power service. For public service: number of lamps, 6; 4,000 hours per year; price per lamp per annum, \$17.50; public buildings, \$1.40.

Rates charged—Electric.—For commercial service: rates for metered arc service, 10c. per kw. h.; discount 10 per cent.; rates for metered incandescent service, 15c per kw. h., discount 10 to 30 per cent.; minimum, 75c per month; rate for metered power service, 7c. to 3½c. per kw. h., discount 10 per cent. For public service: arc street lighting, number of arc lamps, enclosed, 149; c. p., 1,200; schedule all night, every night; 4,000 hours per year; price per lamp per annum, \$77.50; incandescent street lighting: number of incandescent street lamps, 493; c. p., 25; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$17.50.

LACONA.

(Population, 380.)

Sandy Creek Oil and Gas Company, Limited; supplies natural gas, population of Lacona, 380.

Remarks.—For financial and operating data and rates charged, see Sandy Creek.

LAKEVILLE.

Nassau Light and Power Company; supplies electricity.

Rates charged.—For public service: incandescent street lighting, number of incandescent street lights, 37; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp, per annum, \$20.

Remarks.—For financial and operating data and rates charged for commercial service, see Roslyn.

LANCASTER.

(Population, 3,853.)

The Depew and Lancaster Light, Power and Conduit Co.; supplies natural gas and electricity in Lancaster, and electricity in Depew and Sloan. Total population, 9,300.

Financial data.—Capitalization: common stock issued, \$75,000; bonds outstanding, \$50,000; interest, rate 5 per cent.; amount, \$2,500; dividends, none. Balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$19,855.48; electric, \$50,120.30; total assets, \$159,848.11. Liabilities, capital account, \$125,000; total liabilities, \$164,486.15; profit and loss, deficit, \$4,637.04. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data—Gas.—Gross earnings from operation, \$4,537.72; operating expenses, \$3,311.30; gas sold, about 14,000,000 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.); number of meters in service, 154. Miles of main, 9 miles, 580 feet. Gas sold per capita, 3,170 cubic feet; gas sold per consumer, 82,802 cubic feet; gas sold per mile of main, 1,428,570 cubic feet; number of consumers per mile of main, 17.

Operating data—Electric.—Gross earnings from operation, \$13,076.04; operating expenses, \$9,911.17. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.); total (n. r.). Meters (n. r.). Service transformers (n. r.). Electricity generated by steam power. Boiler, h. p., 200; engine, h. p., 250; generator capacity, 140 kw.

Rates charged—Gas.—For commercial service lighting, 32½c. gross, 30c. net; fuel, same; special rate for factory purpose of 25c. No public service.

Rates charged—Electric.—For commercial service, flat rates: incandescent service, 60c. per month per 16 c. p. l., discount 10 per cent. Rates for metered arc and incandescent service, 12c. per kw. h. for periodical users; 11c. per kw. h. for daily consumers, discount 10 per cent.; minimum, \$1 per month. For public service in Lancaster: number of arc lamps, inclosed, 56; c. p., 2,000; schedule, all night; 4,000 hours per year; price per lamp per annum, \$75.

Remarks.—For further rates charged for public service, see Depew and Sloan.

Lancaster-Depew Natural Gas Co.; supplies natural gas in Lancaster, Depew and Bowmansville.

Financial data.—Capitalization: common stock issued, \$100,000; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation, \$25,160.14; operating expenses, \$14,737.23. Number of wells operating, 26. Gas sold, 92,743,000 cubic feet. Miles of main, 43 miles, 3,656 feet.

Rates charged.—For commercial service: fuel and lighting, 30c.

LARCHMONT.

(Population, 1,760.)

Westchester Lighting Company; supplies electricity.

Rates charged—Electric.—For public service, arc street lighting: number of arc lamps enclosed, 6; c. p., 1,200; New York city schedule, 3,950 hours per year; price per lamp per annum, \$100. Incandescent street lighting: number of incandescent street lamps, 174; c. p., 25; New York city schedule, 3,950 hours per year; price per lamp per annum, \$22.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

LA SALLE.

(Population, 1,023.)

Niagara Falls Gas and Electric Light Company; supplies electricity.

Rates charged—Electric.—For public service, incandescent street lighting: number of incandescent street lamps, 80; c. p., 50; schedule, all night, 3,650 hours per year; price per lamp per month, \$1.38.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Niagara Falls.

LAWRENCE.

(Population, 1,500.)

Queens Borough Gas and Electric Company; supplies water gas and electricity.

Rates charged—Gas.—For commercial service: same rate as charged by this company in borough of Queens, see New York city, borough of Queens.

Rates charged — Electric.— For commercial service: same rate as charged by this company in borough of Queens, see New York city, borough of Queens.

Remarks.— For financial and operating data and rates charged for commercial gas and electric service, see New York city, borough of Queens.

LAWRENCEVILLE.

(Population, 350.)

Individual plant. Name of owner, L. L. Dewey; supplies electricity. Motive power, water.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Construction and equipment, \$15,000, not including buildings, shafting, etc. Rates charged for commercial service, flat rates: incandescent service, \$3 per year per 16 c. p. l.; \$6 per 32 c. p. l. For public service, incandescent street lighting: number of incandescent street lamps, 1; c. p., 32; schedule, 10 P. M.; price per lamp per year, \$6.

LE ROY.

(Population, 3,400.)

Le Roy Hydraulic Electric Gas Co.; supplies coal gas and electricity.

Financial data.—Capitalization: common stock issued, \$79,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$86,760.06; total assets, \$125,212.54. Liabilities: capital account, \$100,000; total (exclusive of profit and loss account), \$122,699.80. Profit and loss, surplus, \$2,512.74. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, \$2,408.79; operating expenses, \$2,317.71; gas produced (n. r.); gas sold, 1,276,800 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.); number of meters in service, 115; miles of main, 7 miles 3,960 feet; gas sold per capita, 375 cubic feet; gas sold per consumer, 11,102 cubic feet; gas sold per mile of main, 165,818 cubic feet; number of consumers per mile of main, 15; residuals, coke, 47 net tons; tar, 5,217 gallons.

Operating data — Electric.—Gross earnings from operation, \$18,429.79; operating expenses, \$10,734.08. Total amount of

electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: street lights (n. r.); commercial lights (n. r.); power (n. r.); meters, 3,060 amperes; service transformers, 225 kw. capacity. Electricity generated by water and steam power. Boiler, h. p. 280; engine, h. p. 285; water wheels, h. p. 435.9; generator capacity, 410 kw.

Rates charged — Gas.— For commercial service: lighting, \$2 gross; fuel, \$1.50; discount, 10 per cent. No public service.

Rates charged — Electric.— For commercial service: rates for metered arc and incandescent service, 11c. to 5c. per kw. h.; discount, 10 per cent.; minimum, 75c. per month on bills of more than \$1; rates for metered power service, same. Rates for public service: arc street lighting, number of arc lamps enclosed, 55; c. p., 2,000; schedule (n. r.); price per lamp per annum (n. r.).

LESTERSHIRE.

(Population, 4,035.)

Binghamton Gas Works; kind of gas, coal and water.

Remarks.— For financial and operating data of this company, see Binghamton.

Binghamton Light, Heat and Power Company; supplies electricity.

Rates charged.— For public service: arc street lighting, number of 6.6 ampere arc lamps, enclosed, 30; schedule, sundown to sunrise, 4,000 hours per year; price per lamp per night, 35c. (\$91.25 per annum). Incandescent street lighting: number of incandescent street lights 3 (c. p. not rated); schedule, sundown to sunrise, 4,000 hours per year; price per lamp per year, \$30.

Remarks.— For financial and operating data and rates charged for commercial lighting, see Binghamton.

LIBERTY.

(Population, 2,124.)

Liberty Light and Power Company; supplies electricity.

Financial data.— Capitalization: common stock, \$25,000; bonds outstanding, \$25,000; interest, 6 per cent.; amount, \$1,500; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.— Gross earnings from operation, \$18,083.36; operating expenses, \$15,137.20. Total amount of electricity generated, 219,000 kw. h.; amount sold, 109,500 kw. h.; amount unaccounted for, 109,500 kw. h.; equals, 50 per cent. Connected

load: street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 1,840 amperes; service transformers, 208.5 kw. capacity. Electricity generated by steam power. Boiler, h. p. 300; engine, h. p. 300; generator capacity, 240 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 50c. per month per lamp; rates for metered arc and incandescent service, 20c. per kw. h.; discount, 10 per cent. to 35 per cent. For public service: incandescent street lighting (n. r.).

LIMA.

(Population, 972.)

Lima-Honeoye Electric Light and Railroad Company; supplies electricity; also supplies Honeoye Falls.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

The company also operates an electric railroad and the plant was sold by a receiver July 6, 1905.

Financial data.—Capitalization: amount invested in lighting plant, \$120,000.

Operating data.—Electricity generated by steam power.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 12c. per kw. h. net. For public service, arc street lighting: number of arc lamps, open, 21; c. p., 1,200; schedule, 11 p. m., moonlight, at \$1,000 per annum, gross, including 12 incandescent lamps; c. p., 32.

Ontario Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Honeoye Falls.

LINDENHURST.

Babylon Electric Light Company; supplies electricity.

Remarks.—For financial and operating data and rates charged, see Babylon.

LITTLE FALLS.

(Population, 10,381.)

Herkimer County Light and Power Co.; supplies coal gas and electricity in Little Falls and Mohawk, gas in Herkimer and Ilion and electricity in Dolgeville; total population, 27,931.

Financial data.—Capitalization: common stock issued, \$355,000; bonds outstanding, \$360,000; interest, rate 5 per cent.;

amount, \$18,000; dividends, rate 3 per cent.; amount, \$10,650; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$803,981.29; total assets, \$840,408.83. Liabilities: capital account, \$715,000; total (exclusive of profit and loss account), \$796,848.98. Profit and loss, surplus, \$43,559.85. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.)

Operating data — Gas.—Gross earnings from operation, \$41,508.38; operating expenses, \$26,767.54; gas produced, 34,559,800 cubic feet; gas sold, 29,283,900 cubic feet; gas used by company (n. r.); gas unaccounted for, 5,274,900 cubic feet; percentage of gas unaccounted for, 15.3; number of meters in service, 2,109; miles of main, 20 miles, 4,628 feet; gas sold per capita, 1,140 cubic feet; gas sold per consumer, 13,885 cubic feet; gas sold per mile of main, 1,331,086 cubic feet; number of consumers per mile of main, 100. Residuals: coke, 125,166 bushels; tar, 40,350 gallons.

Operating data — Electric.—Gross earnings from operation, \$62,349.53; operating expenses, \$37,950.39. Total amount of electricity generated (n. r.); amount sold, 2,361,055 kw. h.; amount unaccounted for (n. r.). Connected load, street lights, 515 kw.; commercial lights, 969 kw.; power, 877 kw.; total, 2,361 kw. Meters, 12,635 amperes; service transformers, 2,200 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 375; engine, h. p., 500; water wheels, h. p., 1,650; generator capacity, 1,910 kw.

Rates charged — Gas.—For commercial service: lighting and fuel, \$1.40 gross; \$1.30 net. No public service.

Rates charged — Electric.—For commercial service: rates for metered arc and incandescent service, 10c. to 3c. per kw. h.; rates for metered power service, 4½c. to 1c. per kw. h. For public service in Little Falls: number of arc lamps, open, 120; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$84.50.

Remarks.—For further rates charged for public service, see Mohawk and Dolgeville.

LITTLE VALLEY.

(Population, 1,250.)

Supplied by municipal electric plant. Service furnished, public and commercial. Date of beginning operation (n. r.).

Financial data.—Total assessed valuation of real estate in village (n. r.); bonds authorized, \$13,000; issued, \$13,000; interest, rate 4 per cent. Appropriation since June 30, 1905, for street lighting, \$1,000. Construction and equipment, \$13,000.

Operating data.—Gross earnings from operation, \$3,567.03; operating expenses, \$3,555.61; net income, \$221.37. Total kw. h. sold (n. r.); number of consumers, 70.

Rates charged.—For commercial service: lighting, flat rate, 44c. per month for one 16 c. p. l; meter rate, 7c. per kw. h.

LITZVILLE.

Niagara Light, Heat and Power Co.; kind of gas, coal; also natural.

Remarks.—For financial and operating data and rates charged, see Tonawanda.

LIVERPOOL.

(Population, 1,144.)

Syracuse Lighting Company; supplies electricity.

Rates charged — *Electric.*—For public service, arc street lighting: number of arc lamps, enclosed, 15; c. p., 1,200; schedule, all night; 4,000 hours per year; price per lamp per night, 25c. Incandescent street lighting: number of incandescent street lamps, 10; c. p., 40; schedule, all night; 4,000 hours per year; price per lamp per annum, \$15.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Syracuse.

LIVINGSTON MANOR.

(Population, 700.)

Livingston Manor Electric Company; supplies electricity; also supplies Roscoe.

Financial data.—Capitalization: common stock, \$32,000; bonds, none; dividends, none; balance sheet June 30, 1906 (n. r.)

Operating data.—Gross earnings from operation, \$2,400; operating expenses, \$2,400. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.);

power (n. r.). Meters (n. r.); service transformers, 43 kw. capacity. Electricity generated by steam power. Boiler, h. p., 80 (leased); generator capacity, 65 kw.

Rates charged.—For commercial service: rate for metered arc and incandescent service, 20c. per kw. h.; discount, 2 per cent. to 30 per cent. on bills of \$2 to \$30 per month. No public service.

LLOYD.

(Population, 2,722.)

Poughkeepsie Light, Heat and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Poughkeepsie.

LLOYDS NECK.

Huntington Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Huntington.

LOCKE.

(Population, about 300.)

Individual plant. Name of owner, A. A. Slocum; supplies acetylene gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Construction and equipment, \$1,600. Gas sold, 32,480 cubic feet. Rates charged: for commercial service, lighting, \$12.50.

LOCKPORT.

(Population, 17,500.)

Lockport Gas and Electric Light Company; supplies coal gas and electricity.

Financial data.—Capitalization: common stock issued, \$150,000; bonds outstanding, \$280,000; interest, rate 5 per cent.; amount, \$14,000; dividends, rate 4 per cent.; amount, \$6,000; balance sheet June 30, 1906. Assets: construction and equipment account, gas and electric, \$530,856.12; total assets, \$559,750.52. Liabilities: capital account, \$430,000; total (exclusive of profit and loss account), \$447,626.02. Profit and loss, surplus, \$112,124.50; capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.— Gross earnings from operation, \$59,235.48; operating expenses, \$38,679; gas produced, 43,882,800 cubic feet; gas sold, 37,742,500 cubic feet; gas used by company, 127,100 cubic feet; gas unaccounted for, 5,044,100 cubic feet; percentage of gas unaccounted for, 11.4. Number of meters in service, 2,685. Miles of main, 22 miles, 1,021 feet. Gas sold per capita, 2,218 cubic feet; gas sold per consumer, 21,568 cubic feet; gas sold per mile of main, 1,687,969 cubic feet; number of consumers per mile of main, 81; residuals: coke, 164,443 bushels; tar, 66,983 gallons.

Operating data — Electric.— Gross earnings from operation, \$59,059.86; operating expenses, \$38,679.00. Total amount of electricity generated, 3,418,787 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 225 kw.; commercial light, 420 kw.; power, 1,222 kw.; total, 1,867 kw. Meters, 1520.5 amperes; service transformers, 839.8 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 100; engine, h. p., 660; water wheels, h. p., 595; generator capacity, 1119.9 kw.

Rates charged — Gas.— For commercial service lighting, \$1.40 gross, \$1.30 net; fuel, \$1.10 gross; discount, 10c.; no discount on less than 500 cubic feet for lighting. For public service: number of lamps, 16; 4,000 hours per year; price per lamp per annum, \$17.50.

Rates charged — Electric.— For commercial service, flat rates: arc service, \$6.67 per month per lamp, 4 p. m., to 2 a. m.; incand. scent service, \$1 per month per 16 c. p. l., 4 p. m. to 2 a. m.; \$1.50 per month, all night service. Rates for metered arc and incandescent service, 10c. to 6c. per kw. h.; discount, 25 per cent.; rate for metered power service, 2c. to $\frac{1}{4}$ c. per kw. h., with service charge 75c per h. p. per month for average power used; discount, 25 per cent. For public service: arc street lighting, number of arc lamps, enclosed, 288; c. p., 1,200; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$75.

Niagara, Lockport and Ontario Power Company; Lockport partially supplied; operated by the Iroquois Construction Company under contract during construction.

Financial data.— Capitalization: common stock, \$2,000,000; preferred stock, \$2,000,000; bonds outstanding, \$4,000,000; interest, 5 per cent.; amount (n. r.); dividends, none; balance sheet June 30 1906, (n. r.).

Operating data.—Gross earnings from operation (n. r., under construction operated by Iroquois Construction Co.); operating expenses (n. r.). Total amount of electricity generated (n. r.); connected load (n. r.); transmits power generated by the Ontario Power Company.

LOCUST VALLEY.

Nassau Light and Power Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 103; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$13.50.

Remarks.—For financial and operating data and rates charged for commercial service, see Roslyn.

LOUDONVILLE LIGHTING DISTRICT.

(Population, 300.)

Schenectady Illuminating Company; supplies electricity.

Rates charged.—For public service: incandescent street lighting, number of incandescent street lamps, 50; c. p., 25; schedule, darkness until dawn; about 3,500 hours per year; price per lamp per annum, \$10.

Remarks.—For financial and operating data and rates charged for commercial service, see Schenectady.

LOWVILLE.

(Population, 2,519.)

Wetmore Electric Company; supplies electricity; also supplies Croghan.

Financial data.—Capitalization: common stock, \$40,000; bonds, \$30,000; interest, 5 per cent.; amount, \$1,600; dividends, rate 10 per cent.; amount, \$4,000; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$16,019.60; operating expenses, \$5,448.32. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 2,650 amperes; service transformers, 500 kw. capacity. Electricity generated by water power; water wheel, h. p., 1,420; generator capacity, 776 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 60c. to 30c., per c. p. per year, varied according to the kind of service. Rates for metered arc and incandescent service, 10c. per kw. h.; rates for power, \$30 to \$15 per h. p., according to service. For public service in Lowville: arc street lighting, number of arc lamps, enclosed, 51; c. p., 2,000; schedule, moonlight, 1 A. M.; price per lamp per annum, \$50; incandescent street lighting: number of incandescent street lamps, 15; c. p., 32; schedule, 1 A. M.; price per lamp per annum. \$5.

LYNBROOK.

Queensborough Gas and Electric Company; supplies water gas.

Rates charged — Gas.—Same rate as charged by this company in borough of Queens, see New York city, borough of Queens.

Remarks.—For financial and operating data and rates charged for commercial gas service, see New York city, borough of Queens.

LYONS.

(Population, 4,758.)

Wayne County Electric Company; supplies electricity; also supplies Clyde.

Financial data.—Capitalization: common stock, \$100,000; bonds, \$100,000; interest, 5 per cent; amount, \$5,000; dividends, none, balance sheet, June 30, 1906. Assets: construction and equipment account, \$219,450.33; total assets, \$227,014.10. Liabilities: capital account, \$200,000; total (exclusive of profit and loss account), \$262,886.72. Profit and loss, surplus, \$24,127.42.

Operating data.—Gross earnings from operation, \$26,007.46; operating expenses, \$14,359.19. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 4,000 amperes, approximately; service transformers, 275 kw., approximately. Electricity generated by steam and water power. Boiler, h. p., 400; engine, h. p., 400; water wheel, h. p., 170; generator capacity, 340 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 80c. per 16 c. p. l. net, per month, maximum installation allowed, 4 lights. Rates for metered arc and incandescent

service, 12c. per kw. h.; discount, 2c.; minimum charge, \$2 per year; rates for metered power service, 6c. to 4c. per kw. h. For public service in Lyons: arc street lighting, number of arc lamps, enclosed, 87; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$80.

Remarks.—For further rates charged for public service, see Clyde.

Lyons Gas Light Co.; kind of gas, coal

Financial data.—Capitalization: common stock issued, \$30,000; bonds outstanding, none; dividends, none; balance sheet June 30, 1906. Assets: construction and equipment account, \$55,589.38; total assets, \$58,516.23. Liabilities: capital account, \$30,000; total liabilities, \$59,644.74. Profit and loss: deficit, \$1,128.51. Capitalization per mile of main, \$9,090; construction account per mile of main, \$16,950.

Operating data.—Gross earnings from operation, \$5,354.11; operating expenses, \$5,942.48. Gas produced, 4,418,000 cubic feet; gas sold, 2,843,600 cubic feet; gas used by company, 248,600 cubic feet; gas unaccounted for, 1,325,300 cubic feet; percentage of gas unaccounted for, 30. Number of meters in service, 335; miles of main (n. r.). Gas sold per capita, 600 cubic feet; gas sold per consumer, 8,400 cubic feet; gas sold per mile of main, 853,900 cubic feet; number of consumers per mile of main, 102; residuals: coke, 424 net tons; tar, 8,246 gallons.

Rates charged.—For commercial service: lighting, \$1.80; fuel, \$1.80. Discounts of 20c., 30c., and 40c., according to quantity used.

LYONS FALLS.

(Population, 709.)

Individual plant. Name of owner, G. H. P. Gould; supplies electricity; motive power, water.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Construction and equipment, \$1,273.69.

Rates charged.—For commercial service: rate for metered arc and incandescent service, 10c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 11; c. p., 700; schedule, 1 A. M.; price per lamp per annum, \$50

MADISON.

(Population, 313.)

Individual plant at Solsville. George R. Smith, owner; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 23; c. p., 25; schedule, one hour after sunset to 1 A. M.; price per lamp per annum, \$12. See Solsville.

MADRID.

Individual plant. Name of owner, M. A. & A. D. Whitney; supplies electricity; motive power, steam and water.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Construction and equipment, \$1,800.

Rates charged.—For commercial service, flat rates: incandescent service, 50c. per month per 32 c. p. l.; 35c. per 16 c. p. l. For public service, incandescent street lighting: number of incandescent street lamps, 64; c. p. 28; price per lamp per annum, \$12.

MALONE.

(Population, 6,478.)

Malone Light, Heat and Power Co.; supplies coal gas and electricity.

Financial data.—Capitalization: common stock issued, \$100,000; bonds outstanding, \$25,000; interest, rate 5 per cent.; amount (n. r.); dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$180,642.33; total assets, \$189,859.02. Liabilities: capital account, \$118,000; total (exclusive of profit and loss account), \$126,228.51. Profit and loss, surplus, \$63,530.51. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data—Gas.—Gross earnings from operation, \$3,333.57; operating expenses, \$4,333.52. Gas produced, 2,932,420 cubic feet; gas sold, 1,666,780 cubic feet; gas used by company (n. r.); gas unaccounted for, 1,265,640 cubic feet; percentage of gas unaccounted for, 43. Number of meters in service, 200. Miles of main, 5 miles, 558 feet. Gas sold per capita, 257 cubic feet; gas sold per consumer, 10,417 cubic feet; gas sold per

mile of main, 326,819 cubic feet; number of consumers per mile of main, 31.

Operating data — Electric.— Gross earnings from operation, \$27,780.13; operating expenses, \$13,615.53. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters, 2,948 amperes; service transformers, 430.7 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 250; engine, h. p., 250; water wheels, h. p., 1,485; generator capacity, 605 kw.

Rates charged — Gas.— For commercial service: lighting, \$2; fuel, \$1.50; lighting in public buildings, \$2. No public street lighting.

Rates charged — Electric.— For commercial service, flat rates: arc service, \$60 per year for first lamp, 2 or more, \$53.33 each; incandescent service, not exceeding 3, 16 c. p. l., \$6 per year each; 4 to 10, \$5; 11 to 15, \$4.75 each; 16 or more, \$4.50 each. Rates for metered arc and incandescent service, 10c. per kw. h.; rates for metered power service, 8c. to \$0.02085 per kw. h.; also \$60 to \$20 per h. p. for 10 hours service and 50 h. p., 24-hour service, \$30 per h. p. For public service, arc street lighting: number of arc lamps, enclosed, 80; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$50; incandescent street lighting: number of incandescent street lights, 28; c. p., 50; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$20.

MAMARONECK.

(Population, 5,090.)

Westchester Lighting Company; supplies electricity.

Rates charged — Electric.— For public lighting, arc street lighting: number of arc lamps, inclosed, 1; c. p., 1,200; New York city schedule, 3,950 hours per year; price per lamp per annum, \$100; incandescent street lighting: number of incandescent street lamps, 225; c. p., 25; New York city schedule, 3,950 hours per year; price per lamp per annum, \$22.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

MANCHESTER.

(Population, 784.)

Ontario Light and Traction Company; supplies electricity.

Rates charged.— For public service, incandescent street lighting: number of incandescent street lamps, 31; c. p., 30; schedule, 276 nights, to 1 A. M.; 1,932 hours per year; price per lamp per annum, \$13.

Remarks.— For financial and operating data and rates charged for commercial service, see Canandaigua.

MANHASSET.

Nassau Light and Power Company; supplies electricity.

Rates charged.— For public service, incandescent street lighting: number of incandescent street lamps, 96; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$15.

Remarks.— For financial and operating data and rates charged for commercial service, see Roslyn.

MANLIUS.

(Population, 1,236.)

Individual plant; name of owner, W. J. Phillips; supplies electricity; motive power, water. Construction and equipment (n. r.). Number of consumers (n. r.).

Rates charged.— Commercial service, lighting: 12c. per kw. h. Public service, arc lighting: \$55.20 per lamp per year.

Syracuse Lighting Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Syracuse and Fayetteville.

MARATHON.

(Population, 1,042.)

Supplied by municipal electric plant; service furnished, public and commercial.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.— Bonds authorized, \$8,500; issued, \$8,500; construction and equipment, \$10,000.

Operating data.— Electricity generated by steam power.

Rates charged.— For commercial lighting: rate for metered arc and incandescent service, 6c. per kw. h. Public service, arc street

lighting: number of arc lamps, enclosed, 35; c. p., 1,200; schedule, all dark nights until 1 A. M.; incandescent street lighting: number of incandescent street lamps, 3; c. p., 50.

MARGARETVILLE.

(Population, 669.)

Margaretville Gas Light Company; gasolene gas.

Financial data.—Capitalization: common stock issued, \$3,400; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation, \$325.32; operating expenses, \$276.81. Daily capacity, 600 lights. Length of main, 5,979 feet.

Rates charged.—For commercial service: lighting and fuel, \$2 per thousand cubic feet.

MARLBORO.

(Population, 4,000.)

Newburgh Light, Heat and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Newburgh.

MASSENA.

(Population, 3,300.)

Massena Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$50,000; bonds, none; dividends, rate 18 per cent.; amount, \$9,000, paid from accumulated surplus; balance sheet, June 30, 1906. Assets: construction and equipment account, \$53,440.17; total assets, \$55,892.30. Liabilities: capital account, \$50,000; total (exclusive of profit and loss account), \$55,210.27. Profit and loss surplus, \$682.03.

Operating data.—Gross earnings from operation, \$10,810.68; operating expenses, \$6,538.51. Total amount of electricity generated (n. r.); amount sold, 349,470 kw. h.; amount unaccounted for (n. r.). Connected load, street lights, 7 kw.; connected load, commercial lights, 75 kw.; power, 4 kw.; total, 86 kw. Meters, 830 amperes; service transformers, 216.5 kw. capacity. Current purchased. Generator capacity, 25 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 50c. to 20c. per month per lamp; all over 10 lights,

15c. Rates for metered arc and incandescent service, 12c. per kw. h.; discount, 10 per cent., also 5 per cent. to 25 per cent.; additional discounts according to quantity; minimum, \$1 per month. Rates for metered power service, 10c. per kw. h.; discounts, 10 per cent. to 60 per cent.

MATTEAWAN.

Fishkill and Matteawan Gas Company; kind of gas, water.

Remarks.— See Southern Dutchess Gas & Electric Company.

Southern Dutchess Gas and Electric Company; supplies water gas and electricity.

Rates charged.— For public service, arc street lighting: number of arc lamps, open, 15; c. p., 2,000; schedule, all night; 4,000 hours per year; price per lamp per annum, \$80. Incandescent street lighting: number of incandescent street lamps, 178; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$16.

Remarks.— For financial and operating data and rates charged for commercial service, see Fishkill-on-Hudson.

MAYVILLE.

(Population, 1,021.)

Supplied by municipal electric plant; service furnished, public and commercial.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.— Bonds authorized, \$11,200; issued, \$11,200; construction and equipment, \$11,200.

Operating data.— Electricity generated by steam power.

Rates charged.— For commercial service: rates for metered arc and incandescent service, 10c. per kw. h. Public service, arc street lighting: number of arc lamps, open, 10; c. p., 2,000; number of hours per year, about 1,520; incandescent street lighting: number of incandescent street lamps, 43; c. p., 32; number of hours per year, about 1,520.

MECHANICVILLE.

(Population, 5,877.)

Mechanicville Electric Light and Gas Company; supplies electricity.

Financial data.— Capitalization: common stock, \$5,000; bonds, none; dividends, none; balance sheet, June 30, 1906. As-

sets: construction and equipment account, \$1,674.37; stocks and bonds, \$5,000; total assets, \$8,842.93. Liabilities: capital account, \$5,000; total, \$8,842.93. Profit and loss (see report).

Operating data.—Gross earnings from operation, \$7,554.14; operating expenses, \$8,498.02. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: commercial lights, 80 kw. Meters, 1,470 amperes; service transformers, 76 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 150; engine, h. p., 150; water wheel, h. p., 155; generator capacity, 225 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 10c. per kw. h.; discount, 10 per cent. to 50 per cent. No public service.

Halfmoon Light, Heat and Power Co.; supplies water gas and electricity in village of Mechanicville, and electricity in village of Stillwater and vicinity. Total population, 7,200.

Financial data.—Capitalization: common stock issued, \$55,000; bonds outstanding, \$75,000; interest, rate 5 per cent; amount, \$2,500; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$54,256.34; electric, \$73,039.29; total assets, \$137,867.09. Liabilities: capital account, \$130,000; total (exclusive of profit and loss account), \$131,584.33. Profit and loss, surplus, \$6,282.76. Capitalization per mile of main (n. r.). Construction account per mile of main, \$14,278.

Operating data — Gas.—Gross earnings from operation, \$4,427.13; operating expenses, \$2,970.53. Gas produced, 3,430,500 cubic feet; gas sold, 2,889,200 cubic feet; gas used by company (n. r.); gas unaccounted for, 581,100 cubic feet; percentage of gas unaccounted for, 16.9. Number of meters in service, 267. Miles of main, 3 miles, 4,560 feet. Gas sold per capita, 526 cubic feet; gas sold per consumer, 9,825 cubic feet; gas sold per mile of main, 749,787 cubic feet. Number of consumers per mile of main, 70.

Operating data — Electric.—Gross earnings from operation, \$14,740.72; operating expenses, \$8,879.46. Total amount of electricity generated, 389,206 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.);

commercial lights (n. r.); power (n. r.). Meters, 3,932 amperes; service transformers, 251 kw. capacity. Electricity generated by steam power. Boiler, h. p., 200; engine, h. p., 375; generator capacity, 250 kw.

Rates charged — Gas.—For commercial service: lighting, \$2 gross; fuel, \$2 gross; discount, 10 per cent. and 25 per cent. No public service.

Rates charged — Electric.—For commercial service, flat rates: arc service, \$75 per lamp per annum based on all night service; incandescent service, small number of customers, \$1 per 16 c. p. l. per annum; rates for metered arc and incandescent service, $\frac{3}{4}$ c per 16 c. p. l. hour, discounts 10 and 20 per cent.; rates for metered power service, $2\frac{1}{2}$ c per kw. h. plus \$1 per h. p. per month on motors installed. For public service in Mechanicville: number of arc lamps, enclosed, 4; c. p., 1,200; schedule, all night, 3,638 hours per year; price per lamp per annum, \$22; incandescent street lighting, number of incandescent street lamps, 288; c. p., 25; schedule, all night, 3,650 hours per year; price per lamp per annum, \$7.50.

Remarks.—For further rates charged for public service, see Stillwater.

MEDINA.

Population, 5,114.

A. L. Swett Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$300,000; bonds outstanding, \$176,000; interest, 5 per cent.; amount, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$538,127.90; total assets, \$538,127.90. Liabilities: capital account, \$473,000; total (exclusive of profit and loss account), \$536,422.21. Profit and loss, surplus, \$1,705.69.

Operating data.—Gross earnings from operation, \$24,658.78; operating expenses, \$12,851.13. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 6,441.5 amperes; service transformers, 4,207.5 kw., capacity. Electricity generated by water power, steam auxiliary; water, h. p., 300; engine, h. p., 250; water wheel, h. p., 1,400; generator capacity, 1,769 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 12c to 7c per kw. h., discount, 2c; meter rent, 15c. on bills of less than \$5 per month; rates for metered power service, 4c. to 1½c. per kw. h.; special rates for large amounts. For public service: number of arc lamps, open, 80; c. p., 2,000; schedule (n. r.); price per lamp per annum (n. r.); incandescent street lighting: number of incandescent street lamps, 1; c. p., 24; price per month, \$2.

Medina Gas Co.; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$40,000; bonds outstanding, \$40,000; interest, rate 5 per cent; amount (n. r.); dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$136,000; total assets, \$13,972.58. Liabilities, capital account, \$80,000; total liabilities, \$82,381.70; profit and loss, deficit, \$68,459.12. Capitalization per mile of main, \$17,391. Construction account per mile of main, \$29,565.

Operating data.—Gross earnings from operation, \$7,533.74; operating expenses, \$6,345.28. Gas produced (n. r.); gas sold (n. r.). Number of meters in service (n. r.). Miles of main (n. r.). Number of consumers per mile of main, 71.

Rates charged.—For commercial service, lighting: \$2 gross; net, 2,500 cubic feet, and less \$1.50; above 2,500 cubic feet, \$1.25.

MENANDS.

The Colonie Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$10,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$12,082.82; total assets, \$12,684.09. Liabilities: capital account, \$10,000; total, \$14,746.31; profit and loss, deficiency, \$2,062.22.

Operating data.—Gross earnings from operation, \$2,951.06; operating expenses, \$3,443.29. Total amount of electricity generated, 42,871 kw. h.; amount sold, 36,000 kw. h.; amount unaccounted for 6,871 kw. h.; equals 16 per cent. Connected load, commercial lights, 62 kw.; power, 4 kw.; total, 66 kw. Meters, 800 amperes; service transformers, 82 kw. capacity. Electricity generated by steam power. Boiler, h. p., 125; engine, h. p., 100; generator capacity, 60 kw.

Rates charged.—For commercial service: rate for metered arc and incandescent service, 12½c. per kw. h.; rates for metered

power service, 10c. per kw. h. For public service, incandescent street lighting: number of incandescent street lamps, 44; c. p., 25; schedule, all night; 4,000 hours per year; price charged per lamp per annum, \$15.

MEXICO.

(Population, 1,269.)

Mexico Electric Company; supplies electricity.

Financial data.—Capitalization: common stock (\$20,000 stock withdrawn); bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$4,098.27; operating expenses, \$4,308.35. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 16 kw.; connected load, commercial lights, 34 kw.; total, 50 kw. Meters, 440 amperes; service transformers, 54.5 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 90; engine, h. p., 80; water wheel, h. p., 168; generator capacity, 60 kw.

Rates charged.—For commercial service, flat rates: incandescent service, residences, \$6 per year per lamp; business places, \$8 first light, \$6 second, \$4 third and \$2 all over. Rates for metered arc and incandescent service, 10c per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 25; c. p., 2,000; schedule, moonlight, midnight; price per lamp per annum, \$50.

McGRAW.

(Population, 900.)

Cortland County Traction Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 70; c. p., 20; schedule, dusk to 10:30 p. m., moonlight; price per lamp per month, \$1.50.

Remarks.—For financial and operating data and rates charged for commercial service by this company, see Cortland.

MIDDLEBURGH.

(Population, 1,209.)

Middleburgh and Schoharie Electric Light, Heat and Power Company; supplies electricity; also supplies Schoharie.

Financial data.—Capitalization: common stock, \$40,000; bonds outstanding, \$22,000; interest, 5 per cent.; amount, \$887.50; dividends, none; balance sheet, June 30, 1906. Assets: construc-

tion and equipment account, \$57,576.59; total assets, \$58,957.73. Liabilities: capital account, \$58,000; total (exclusive of profit and loss account), \$58,908.16. Profit and loss, surplus, \$59.57.

Operating data.—Gross earnings from operation, \$6,041.90; operating expenses, \$1,972.49. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 190 amperes; service transformers, 475 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 125; engine, h. p., 150; water wheel, h. p., 100; generator capacity, 150 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 2c. per night per 16 c. p. l. For public service in Middleburgh, arc street lighting: number of arc lamps, enclosed, 22; c. p., 1,200; schedule, midnight, moonlight, price per lamp per annum, \$55. Incandescent street lighting, number of incandescent street lamps, 10; c. p., 32; schedule, midnight, moonlight, price charged per lamp per year, \$20.

Remarks.—For further rates charged for public service, see Schoharie.

MIDDLETOWN.

(Population, 14,461.)

Orange County Power Company; organized to furnish current to Orange County Lighting Company, of Middletown and Port Jervis Electric Light, Power & Railroad Company, of Port Jervis.

(No report has been received from this company.)

Orange County Lighting Company; supplies water gas and electricity.

Financial data.—Capitalization: common stock issued, \$100,000; bonds outstanding, \$215,000; interest, rate 5 and 6 per cent; amount, \$11,750; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$141,449.92; electric, \$127,928.04; total assets, \$362,333.74. Liabilities: capital account, \$315,000; total, \$384,869.06; profit and loss, deficit, \$22,535.32. Capitalization per mile of main (n. r.). Construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, \$31,312.07; operating expenses, \$21,726.82. Gas produced (n. r.); gas sold (n. r.); gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.). Number

of meters in service, 1,392. Miles of main, 13 miles, 1,574 feet. Gas sold per capita, 1,610 cubic feet; gas sold per consumer, 19,490 cubic feet; gas sold per mile of main, 1,752,960 cubic feet; number of consumers per mile of main, 90.

Operating data — Electric.— Gross earnings from operation, \$31,075.33; operating expenses, \$23,317.71. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters, 8,200 amperes; service transformers (n. r.). Electricity generated by steam power. Boiler, h. p., 775; engine, h. p., 675; generator capacity, 525 kw.

Rates charged — Gas.— For commercial service, lighting: sliding scale, \$2 to \$1.70, and special rates for consumption of over 20,000 cubic feet per month, discount 5 per cent.; fuel, \$1.10; over 50,000 cubic feet per month, \$1. No public service.

Rates charged — Electric.— For commercial service, flat rates: incandescent service, contract rates for three lights or less; rates for metered arc and incandescent service: 10c. per kw. h., minimum, 50c. per month; rates for metered power service, \$0.0536 per kw. h., minimum, \$1 per month for connected h. p. For public service, arc street lighting: number of arc lamps enclosed, 64; c. p., 1,200; schedule, all night; 4,000 hours per year; price per lamp per annum, \$75; incandescent street lighting: number of incandescent street lamps, 357; c. p., 32; schedule, all night; 4,000 hours per year; price per lamp per annum, \$16.

Remarks.— Bonds outstanding; also \$40,000 serial note.

Gas sold.— No report, station meter being rebuilt.

MIDDLEPORT.

(Population, 1,358.)

Albion Power Company; supplies electricity.

Rates charged — Electric.— For public service: arc street lighting, number of arc lamps enclosed, 28; c. p., 1,200; schedule, dusk to 1:30 A. M.; 2,000 hours per year; price per lamp, \$60; incandescent street lighting: number of incandescent street lamps, 4; c. p., 16; schedule, all night, every night; 4,300 hours per year; price per lamp per annum, \$10; arc schedule subject to intermission when moon is bright and one hour high.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Albion.

MIDDLEVILLE.

(Population, 1,050.)

Middleville Electric Light Company; supplies electricity.

Financial data.— Capitalization: common stock, \$4,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$6,795; total assets, \$7,845. Liabilities, capital account, \$4,000; total (exclusive of profit and loss account), \$4,000. Profit and loss, surplus, \$3,845.

Operating data.— Gross earnings from operation, \$2,145.92; operating expenses, \$1,298.64. Total amount of electricity generated (n. r.); amount sold, 8,375 kw. h.; amount unaccounted for (n. r.). Connected load, street lights, 15 kw.; connected load, commercial lights, 20 kw.; total, 35 kw. Meters, 160 amperes; service transformers, 16 kw. capacity. Electricity generated by water power. Water wheel, h. p., 50; generator capacity, 40 kw.

Rates charged.— For commercial service: rate for metered arc and incandescent service, 10c. per kw. h.; discount 5 per cent. to 30 per cent., minimum, \$1 per month. For public service: arc street lighting, number of arc lights enclosed, 19; c. p., 2,000; schedule, moonlight, 1 A. M.; price per lamp per annum, \$40.

MILFORD.

(Population, 526.)

Supplied by municipal gasoline plant. service furnished, public and commercial.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.— Bonds authorized, \$3,000; issued, \$3,000; construction and equipment, \$3,000.

Operating data.— Gas sold, 290,000 cubic feet, estimated.

Rates charged.— For commercial service, lighting and fuel, \$2 to \$1.35.

MILLBROOK.

(Population, 1,025.)

Millbrook Gas and Electric Co.; acetylene gas.

Financial data.— Capitalization: common stock issued, \$15,000; bonds outstanding, none; dividends, none.

Operating data.— (n. r.).

Rates charged.— (n. r.).

MINEOLA.

Nassau Light and Power Company; supplies electricity.

Rates charged.— For public service, incandescent street lighting: number of incandescent street lights, 81; c. p., 20; schedule, all night; 4,000 hours per year; price per annum, \$20.

Remarks.— For financial and operating data and rates charged for commercial service, see Roslyn.

MOHAWK.

(Population, 2,044.)

Herkimer County Light and Power Company; supplies coal gas and electricity.

Rates charged — Gas.— For commercial service same as charged by this company in Little Falls. See Little Falls.

Rates charged. — Electric.— For public service, arc street lighting: number of arc lamps enclosed, 50; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$85.

Remarks.— For financial and operating data and rates charged for commercial gas and electric service, see Little Falls.

Supplied by municipal electric plant. service furnished (n. r.).
Date of beginning operation, 1897.

Financial data.— Total assessed valuation of real estate in village, \$971,013; bonds, authorized, \$21,000; issued, \$21,000; interest, rate 3.9 and 4 per cent. Appropriation since June 30, 1905: for street lighting, \$3,920; construction and equipment, \$16,850.

Operating data.— Gross earnings from operation, \$3,920.24; operating expenses, \$5,819.91. Total kw. h. sold (n. r.); number of consumers, 125.

Rates charged.— For commercial service, lighting: 10c. per kw. h., with discounts of from 10 to 25 per cent.; for street lighting: number of lamps, 2; c. p., 50; price per lamp per year, \$20. Public service: number of arc lamps enclosed, 49; c. p., 1,200; schedule, one-half hour after sunset to one-half hour before sunrise; price per lamp per annum, \$80.

MONROE.

(Population, 1,008.)

Orange and Rockland Electric Company; supplies electricity; also supplies Chester, Blooming Grove and Woodbury.

Financial data.—Capitalization: common stock, \$23,200; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$1,196.57; operating expenses (n. r.). Total amount of electricity generated (n. r.); amount sold, 4,393.6; amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters, 250 amperes; transformers, 50 kw. capacity. Electricity generated by steam power. Boiler, h. p., 200; engine, h. p., 200; generator capacity, 110 kw.

Rates charged.—For commercial service: rate for metered arc and incandescent service, 20c. per kw. h.; discounts, 30 per cent. to 40 per cent. on bills exceeding \$5. For public service, in Monroe, incandescent street lighting: number of incandescent street lamps, 56; c. p., 20; schedule, moonlight; price per lamp per month, \$1.25.

Remarks.—For further rates charged for public service, see Chester.

MONTICELLO.

(Population, 1,388.)

Murray Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$20,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$11,340; total assets, \$20,265. Liabilities: capital account, \$20,000; total, \$20,000; profit and loss, deficiency, \$265.

Operating data.—Gross earnings from operation, \$9,975; operating expenses, \$11,111. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Electricity generated by steam power. Boiler, h. p., 160; engine, h. p., 250; generator capacity, 75 kw.

Rates charged.—For commercial service, flat rates: incandescent service, \$5 to \$2 per lamp per annum; rates for metered arc and incandescent service, 20c. to 10c. per kw. h. For public service, incandescent street lighting: number of incandescent street lamps, 92; c. p., 32; schedule, all night; 3,500 hours per year; price per lamp per annum, \$13.50.

MONTOUR FALLS.

(Population, 1,236.)

Montour Falls Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$10,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$4,100; operating expenses, \$4,900. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers, 745 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 200; engine, h. p., 165; water wheel, h. p., 80; generator capacity, 130 kw.

Rates charged.—For commercial service (n. r.); for public service (n. r.).

MORRIS.

(Population, 600.)

Morris Gas Company; gasolene gas.

Financial data.—Capitalization: common stock issued, \$2,400; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation, \$630; operating expenses, \$302.29. Daily capacity, 1,000 lights. Length of main, 1,100 feet.

Rates charged.—For commercial service: lighting and fuel, \$2 per thousand cubic feet; over 50,000 cubic feet, \$1.50.

MORRISVILLE.

(Population, 600.)

Morrisville Electric Light Company, Partnership; supplies electricity.

Operating data.—Motive power, water and steam. Construction and equipment, \$7,318. Number of consumers, 60.

Rates charged.—Commercial service, flat rates: 40c. per month per 16 c. p. lamp; meter rates, 10c. per kw. h. Public service: lighting public buildings, 20c. per month per 16 c. p. lamp; street lighting, arc lamps, \$51 per lamp per year; incandescent lighting, 40c. per month per 16 c. p. lamp.

Mt. KISCO.

(Population, 1,830.)

Westchester Lighting Company; supplies electricity.

Rates charged — Electric.— For commercial service: rates for metered arc and incandescent service, 20c. per kw. h.; discount, 10 per cent.; rates for metered power service, 10c. per kw. h.; discounts, 10 per cent. to 60 per cent. For public service: incandescent street lighting, number of incandescent street lamps, 113; c. p., 20; New York city schedule, 3,950 hours per year; price per lamp per annum, \$20.

Remarks.— For financial and operating data, see Mount Vernon.

MOUNT MORRIS.

(Population, 3,611.)

Mount Morris Illuminating Company; supplies electricity.

Financial data.— Capitalization: common stock, \$9,000; bonds, none; dividends, rate 6 per cent.; amount, \$540; balance sheet, June 30, 1906. Assets: construction and equipment, \$21,038.60; total assets, \$22,760. Liabilities: capital account, \$21,000; total (exclusive of profit and loss account), \$22,260. Profit and loss, surplus, \$500.

Operating data.— Gross earnings from operation, \$8,546.98; operating expenses, \$7,286.98. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 18 kw.; connected load, commercial lights, 60 kw.; power, 1 kw.; total, 79 kw. Meters, 2,075 amperes; service transformers, 105 kw. capacity. Electricity generated by water power, steam auxiliary; boiler, h. p., 80; engine, h. p., 150; water wheel, h. p., 90; generator capacity, 85 kw.

Rates charged.— For commercial service, flat rates: arc service, \$60 per year for 1; 2 or more, \$50 each; incandescent service, 75c. per month per 16 c. p. l. Rates for metered arc and incandescent service, 12c. per kw. h.; rates for metered power service, 12c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 37; c. p., 1,200; schedule, 1 hour after sunset to 1 A. M.; 3,000 hours per year; price per lamp per annum, \$57. Incandescent street lighting: number of incandescent street lamps, 8; c. p., 32; schedule, 1 A. M. to daylight; 2,500 hours per year; price per lamp per annum, \$15.

MOUNT PLEASANT.

(Population, 9,728.)

Westchester Lighting Company; supplies water gas and electricity.

Remarks.— For financial and operating data and rates charged for gas and electric service, see Mount Vernon.

MOUNT ST. VINCENT.

Westchester Lighting Company; supplies water gas and electricity.

Remarks.— For financial and operating data and rates charged for gas service, see Mount Vernon.

MOUNT VERNON.

(Population, 25,906.)

Westchester Lighting Company; supplies water gas and electricity; also supplies part of borough of the Bronx, New York city, New Rochelle and towns of Eastchester, Mamaroneck, Rye, Harrison, White Plains; Greenburg and Mount Pleasant, with water gas and electricity; Yonkers, Woodlawn, Spuyten Duyvil, Kingsbridge, Mount St. Vincent, Riverdale, Van Cortlandt and town of Pelham, with water gas; Williamsbridge, Wakefield, City Island and towns of Bedford, New Castle and Scarsdale, with electricity. Total population supplied with gas, 192,132. The total population supplied with electricity, 131,249.

Financial data.— Capitalization: common stock issued, \$10,000,000; preferred stock, \$2,500,000; bonds outstanding, \$20,070,000; interest, 6 per cent. on \$88,000; $\frac{1}{2}$ per cent. to 4 per cent. on \$10,000,000; balance, 5 per cent.; dividends, rate, none; amount, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$32,796,623.42; electric, included with gas; total assets, \$33,990,743.23. Liabilities: capital account, \$32,570,000; total \$34,074,693.18; profit and loss, deficiency, \$83,949.95.

Operating data — Gas.— Gross earnings from operation, \$1,024,413.24; operating expenses, \$723,701.05; gas, 991,533,000 cubic feet; gas sold, 874,415,130 cubic feet; gas used by company, 4,267,793 cubic feet; gas unaccounted for, 112,785,077 cubic feet; percentage of gas unaccounted for, 11.37. Number of meters in service, 20,773; miles of main, 365 miles, 4,415 feet; gas sold per capita, 4,221 cubic feet; gas sold per consumer, 2,557

cubic feet; gas sold per mile of main, 2,193,768 cubic feet; number of consumers per mile of main, 87.

Operating data — Electric.— Gross earnings from operation, \$432,286.71; operating expenses, \$243,110.49. Total amount of electricity generated, 5,826,198 kw. h.; amount sold, 4,273,407 kw. h.; amount unaccounted for, 1,552,790 kw. h.; equal, 36.25 per cent. Connected load, street lights, 396.4 kw.; commercial lights, 72,619 kw.; power, 7,915 kw.; total, 8,459.8 kw. Meters, 54,885 amperes; service transformers, 4,791.1 kw. capacity; electricity generated by steam power. Boiler, h. p., 2,364; engine, h. p., 6,698; generator capacity, 3,166 kw.

Rates charged — Gas.— For commercial service in Mount Vernon: lighting and fuel, \$1. For public service: number of Welsbach street lamps, 3,968; number of open flame street lamps, 623; 4,000 hours per year; price charged for Welsbach lamps, \$21.50 to \$30; for open flame lamps, \$18 to \$23.70 per annum.

Rates charged — Electric.— For commercial service, rates for metered arc and incandescent service, 20c. per kw. h.; discounts, 10 per cent. to 40 per cent.; minimum, \$1 per month. Rate for metered power service, 10c. per kw. h.; discounts, 10% to 60%. For public service in Mount Vernon, arc street lighting: number of arc lamps, inclosed, 164; c. p., 1,200; New York city schedule, 3,950 hours per year, price per lamp per annum, \$100; incandescent street lighting, number of incandescent street lamps, 83; c. p., 25; New York city schedule, 3,950 hours; price per lamp per annum, \$31.50.

Remarks.— For further rates charged for commercial gas service, see Yonkers, New Rochelle, Port Chester, White Plains, Tarrytown, Bronxville and Tuckahoe; and for further rates charged for commercial and public electric service, see Williamsbridge, Tuckahoe, New Rochelle, Larchmont, Port Chester, Mamaroneck, Rye, White Plains, Tarrytown, Hastings, Bronxville, City Island, North Tarrytown, Ardsley, Dobbs Ferry, Irvington, Mount Kisco, Chappaqua and New York city, borough of the Bronx.

NAPANOCH.

(Population, 550.)

Ellenville Electric Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Ellenville.

NANUET (Lighting District):

Rockland Light and Power Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 27; c. p., 25; schedule, all night, every night, 4,000 hours per year; price per lamp per annum, \$19.

Remarks.—For financial and operating data and rates charged for commercial service, see Nyack.

NELLISTON.

(Population, 709.)

Fort Plain Gas and Electric Light, Heat and Power Company; supplies electricity.

Rates charged—Electric.—For public service: number of arc lamps, enclosed, 4; c. p., 2,000; schedule, dark to daylight; price per lamp per annum, \$60; incandescent street lighting: number of incandescent street lamps, 18; c. p., 100; schedule, dark to daylight; price per lamp per annum, \$30.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Fort Plain.

NELSONVILLE.

(Population, 600.)

Cold Spring Light, Heat and Power Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 31; c. p., 16; schedule, 1 A. M.; 2,920 hours per year; price per lamp per annum, \$12.

Remarks.—For financial and operating data and rates charged for commercial lighting, see Cold Spring.

NEWARK.

(Population, 4,554.)

Newark Gas Light and Fuel Company; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$50,000; bonds outstanding, \$30,000; interest, 5 per cent.; amount, \$15,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$102,976.44; total assets, \$106,665.04. Liabilities: capital account, \$80,000; total (exclusive of profit and loss account), \$105,521.27. Profit and loss, surplus,

\$1,143.77. Capitalization per mile of main, \$19,044; construction account per mile of main, \$24,518.

Operating data.—Gross earnings from operation, \$12,185.81; operating expenses, \$7,135.16. Gas produced, 7,260,100 cubic feet; gas sold, 6,384,800 cubic feet; gas used by company, 147,900 cubic feet; gas unaccounted for, 729,300 cubic feet; percentage of gas unaccounted for, 10. Number of meters in service, 529. Miles of main (n. r.). Gas sold per capita, 1,280 cubic feet; gas sold per consumer, 12,000 cubic feet; gas sold per mile of main, 1,520,000 cubic feet; number of consumers per mile of main, 125. Residuals: coke, 544 net tons; tar, 10,584 gallons.

Rates charged.—For commercial service: lighting, \$1.80; fuel, \$1.80; discounts of 20, 30 and 40 cents per thousand, according to quantity used.

The New Light, Heat and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$40,000; bonds outstanding, \$75,000; interest, 5 per cent.; amount, \$3,750; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$130,258.54; total assets, \$135,619.24. Liabilities: capital account, \$115,000; total (exclusive of profit and loss account), \$120,650.76. Profit and loss, surplus, \$14,968.48.

Operating data.—Gross earnings from operation, \$28,856.31; operating expenses, \$18,380.93. Total amount of electricity generated, 933,120 kw. h.; amount sold, 920,120 kw. h., approximately; amount unaccounted for, 13,000 kw. h.; equals 1.5 per cent. Connected load, street lights, 75 kw.; connected load, commercial lights, 190 kw.; power, 245 kw.; total, 510 kw. Meters, 3,095 amperes; service transformers, 334 kw. capacity. Electricity generated by steam power. Boiler, h. p., 500; engine, h. p., 600; generator capacity, 860 kw.

Rates charged.—For commercial service, flat rates: arc service, \$85 per lamp per annum; incandescent service, 65c. to 50c., net, per lamp per month. Rates for metered arc and incandescent service, 12c. per kw. h.; discount, 40 per cent. to 70 per cent.; rate for metered power service, 12c. per kw. h.; discount, 40 per cent. to 75 per cent.; also flat rate \$2.50 per month. For public service, arc street lighting: number of arc lamps, enclosed, 79; c. p., 2,000; schedule, sunset until sunrise; price per lamp per annum, \$85.

NEW CASTLE.

(Population, 2,956.)

Westchester Lighting Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for electric service, see Mount Vernon.

Northern Westchester Lighting Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Ossining.

NEW BERLIN.

(Population, 1,126.)

The New Berlin Light and Power Company; supplies electricity.

Financial data.— Capitalization: common stock, \$10,000; bonds, none; dividends, rate 3 per cent.; amount, \$300; balance sheet, June 30, 1906. Assets: construction and equipment account, \$17,163.52; total assets, \$17,659.47. Liabilities: capital account, \$10,000; total, \$28,257.63; profit and loss, deficiency, \$10,598.16.

Operating data.— Gross earnings from operation, \$3,648.67; operating expenses, \$2,926.26. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights, 30 to 48 kw. Meters, 470 amperes; service transformers, 59 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 50; engine, h. p., 60; water wheel, h. p., 80; generator capacity, 120 kw.

Rates charged.— For commercial service, flat rates: incandescent service, 40c. per month per 10 c. p. l.; 60c. per 16 c. p. l.; 90c. per 25 c. p. l. Rates for metered arc and incandescent service, 10c. per kw. h.; minimum for residences, \$25 per year; business places, incandescent service 20 per cent. discount. For public service, arc street lighting: number of arc lamps, inclosed, 1; c. p., 1,200; schedule, moonlight; price per lamp per annum, \$50; incandescent street lighting: number of incandescent street lamps, 61; c. p., 25; schedule, moonlight, price per lamp per annum, \$15 (3 lamps free).

NEWBURGH (Town).

(Population, 4,785.)

Newburgh Light, Heat and Power Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial and public electric service, see Newburgh.

NEWBURGH.

(Population, 24,243.)

Newburg Light, Heat and Power Co.; supplies water gas and electricity in city of Newburgh and electricity in towns of Newburgh, Marlboro and New Windsor; total population, 38,172.

Financial data.—Capitalization: common stock issued, \$500,000; bonds outstanding, \$550,000; interest, rate 5 and 6 per cent.; amount, \$25,215; dividends, rate $3\frac{1}{2}$ per cent.; amount, \$18,750; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$488,397.68; electric, \$654,489.06; total assets, \$1,268,915.71. Liabilities: capital account, \$1,050,000; total (exclusive of profit and loss account), \$1,200,763.09. Profit and loss, surplus, \$68,152.62. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, \$80,909.35; operating expenses, \$52,128.40. Gas produced, 68,699,600 cubic feet; gas sold, 63,300,400 cubic feet; gas used by company, 421,000 cubic feet; gas unaccounted for, 4,978,000 cubic feet; percentage of gas unaccounted for, 7.3. Number of meters in service, 4,226. Miles of main, 17 miles, 3,295 feet. Gas sold per capita, 2,500 cubic feet; gas sold per consumer, 22,000 cubic feet; gas sold per mile of main, 3,600,000 cubic feet; number of consumers per mile of main, 172.

Operating data — Electric.—Gross earnings from operation, \$111,477.07; operating expenses, \$78,392.46. Total amount of electricity generated, 2,200,000 kw. h.; amount sold, 1,626,375 kw. h.; amount unaccounted for, 319,564 kw. h., equals 18 per cent. Connected load, street lights, 150 kw.; commercial lights, 1,677 kw.; power, 777 kw.; total, 2,604 kw. Meters, 16,035 amperes; service transformers, 872 kw. capacity. Electricity generated by steam power. Boiler, h. p., 1,280; engine, h. p., 1,500; generator capacity, 1,320 kw.

Rates charged — Gas.—For commercial service: lighting, \$1.60 gross; \$1.50 net; fuel, \$1.10 gross; \$1 net. No public service.

Rates charged — Electric.—For commercial service: rates for metered arc and incandescent service, 20c. per kw. h.; discount, 5 per cent. to 6 per cent.; minimum, \$1 per month. In suburban communities "readiness to serve," rate 12c. to 20c. per lamp and 9c. per kw. h. for current used; rates for metered power service, 10c. per kw. h.; discount, 5 to 50 per cent.; minimum, \$1 to \$3 per h. p. per month. Rates for public service in Newburgh, arc

street lighting: number of arc lamps, enclosed, 325; c. p., 1,200; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$82.50. For public service in town of Newburg, incandescent street lighting: number of incandescent street lamps, 40; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$18.50.

Remarks.—For further rates charged for public service, see New Windsor.

NEWFANE.

Newfane Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$800; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$2,299.94; operating expenses, \$1,458.58. Total amount of electricity generated and sold, 30,000 kw. h. Connected load, commercial lights, 46 kw. Meters, 370 amperes; service transformers, 68.5 kw. capacity. Electricity generated by water power. Water wheel, h. p., 172; generator capacity, 80 kw.

Rates charged.—For commercial service, flat rates: incandescent service, from \$7.50 per annum for 2, 16 c. p. l. to \$13 for 10, according to number used. Rates for metered arc and incandescent service, over 10 lights, 5c. per kw. h. For public service, incandescent lights: number of incandescent street lamps, 23; c. p., 32; price per lamp per annum (n. r.).

NEW HARTFORD.

(Population, 1,043.)

Utica Gas and Electric Company.

Rates charged—Gas.—For commercial service: same rate as charged by this company in Utica; see Utica.

Rates charged—Electric.—For public service, arc street lighting: number of 6.6 ampere arc lamps, 25; schedule, 20 nights per month; 1,680 hours per year; price per lamp per night, \$0.20784.

Remarks.—For financial and operating data and rates charged for commercial gas and electric service, see Utica.

NEW HARTFORD (Town).

Lighting District No. 1.

Rates charged—Electric.—For public service, arc street lighting: number of 6.6 ampere lamps, enclosed, 20; schedule, every

night until 1 o'clock; 2,555 hours per year; price per lamp per night, \$0.20784.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Utica.

Lighting District No. 2.

Rates charged — Electric.— For public service, arc street lighting: number of 6.6 ampere arc lamps, enclosed, 14; schedule, every night until 1 o'clock; 2,555 hours per year; price per lamp per night, \$0.20784.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Utica.

Separate Road District.

Rates charged — Electric.— For public service, arc street lighting: number of 6.6 ampere lamps, enclosed, 4; schedule, every night until 1 o'clock; 2,555 hours per year; price per lamp per night, \$0.20784.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Utica.

NEW PALTZ.

(Population, 1,060.)

The Electric Light Company of New Paltz; supplies electricity.

Financial data.— Capitalization: common stock, \$20,000; bonds outstanding, \$10,000; interest, 5 per cent; amount, \$500; dividends, none; balance sheet, June 30, 1906. Assets; construction and equipment account, \$30,000; total assets, \$30,234.35. Liabilities: capital account, \$30,000; total (exclusive of profit and loss account), \$30,000. Profit and loss, surplus, \$234.35.

Operating data.— Gross earnings from operation, \$4,128.39; operating expenses, \$3,894.04. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights, 15 kw. Meters, 240 amperes at average; service transformers, 31.5 kw. at average. Electricity generated by steam power. Boiler, h. p., 100; engine, h. p., 80; generator capacity, 97 kw.

Rates charged.— For commercial service, flat rates: incandescent service, 70c. to 50c. per lamp per month, 4 to 6 hours' average use; rates for metered arc and incandescent service, 15c. per kw. h.; hotels, 14c. to 10c. per kw. h. For public service, incan-

descent street lighting: number of incandescent street lamps, 150; c. p., —; schedule, midnight, moonlight; price per lamp per annum, \$10.

NEWPORT.

(Population, 672.)

Newport Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$15,000; bond and mortgage, \$15,000; interest, 6 per cent.; amount, \$900; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operations, \$3,850; operating expenses, \$2,620. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 30 kw; connected load, commercial lights, 56 kw.; power, 20 kw.; total, 106 kw. Meters (n. r.); service transformers, none. Electricity generated by water power. Water wheel, h. p., 150.

Rates charged.—For commercial service (n. r.). For public service, arc street lighting: number of arc lamps, enclosed, 24; c. p., 1,200; schedule, moonlight; 3,011 hours per year; price per lamp per annum, \$50.

NEW ROCHELLE.

(Population, 20,480.)

Westchester Lighting Company; supplies water gas and electricity.

Rates charged — Gas.—For commercial service: lighting and fuel, \$1.20.

Rates charged — Electric.—For commercial service: rates for metered arc and incandescent service, 20c. per kw. h; discounts, 10 per cent. to 40 per cent.; minimum, \$1 per month; rates for metered power service, 10c. per kw. h.; discounts, 10 per cent. to 60 per cent. For public service, arc street lighting: number of arc lamps, enclosed, 194; c. p., 1,200; New York city schedule; 3,950 hours per year; price per lamp per annum, \$100.

Remarks.—For financial and operating data, see Mount Vernon.

NEW WINDSOR.

(Population, 2,887.)

Newburg Light, Heat and Power Company; supplies electricity.

Rates charged—Electric.—For public service, incandescent street lighting: number of incandescent street lamps, 110; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$20.

Remarks.—For financial and operating data and rates charged for commercial service, see Newburg.

NEW YORK.**Borough of the Bronx.**

(Population, 271,630.)

The Bronx Gas and Electric Co.; supplies water gas and electricity in that portion of the Bronx formerly the old town of Westchester, exclusive of village of Williamsbridge; population, estimated, 15,000.

Financial data.—Capitalization: common stock issued, \$486,500; bonds outstanding, \$500,000; interest, rate 5 per cent.; amount, \$25,000; dividends, rate 5 per cent.; amount, \$24,325; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$1,001,793.62; total assets, \$1,213,601.59. Liabilities: capital account, \$986,500; total (exclusive of profit and loss account), \$1,165,565.25. Profit and loss, surplus, \$48,036.24. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data—Gas.—Gross earnings from operation, \$61,565.10; operating expenses, \$32,170.58; general expenses, \$34,485.82. Gas produced, 62,679,000 cubic feet; gas sold, 54,357,000 cubic feet; gas used by company, 242,800 cubic feet; gas unaccounted for, 7,078,600 cubic feet; percentage of gas unaccounted for, 11.2. Number of meters in service, 2,630. Miles of main, 23 miles, 4,058 feet. Gas sold per capita (n. r.); gas sold per consumer (n. r.); gas sold per mile of main, 2,300,000 cubic feet; number of consumers per mile of main, 110.

Operating data—Electric.—Gross earnings from operation, \$96,566.82; operating expenses, \$41,105.36, also general G. and E. department, \$34,485.82. Total amount of electricity generated, 1,566,150 kw. h.; amount sold, 1,566,150 kw. h.; amount

unaccounted for (n. r.). Connected load, street lights, 280 kw.; commercial lights, 529 kw.; power, 71 kw.; total, 880 kw. Meters, 2,364 amperes; service transformers, 402.4 kw. capacity. Electricity generated by steam power. Boiler, h. p., 1,104; engine, h. p., 1,175; generator capacity 810 kw.

Rates charged.—Gas.—For commercial service: lighting and fuel, \$1.15, gross, \$1.10 net. Price in public buildings, 75c. per thousand.

Rates charged — Electric.—For commercial service, flat rates: arc service, \$10.50 per month for series enclosed arcs, 400 watts at arc; rates charged for metered arc and incandescent service, 12c. to 10c. per kw. h.; rates for metered power service, 12c. to 5c. per kw. h. For public service: arc street lighting, number of arc lamps, enclosed, 671; c. p., 1,200; New York city schedule; 3,900 hours per year; price per lamp per night, 33c.

Westchester Lighting Company; supplies water gas and electricity.

Rates charged — Electric.—For commercial service: rate for metered arc and incandescent service, 10c. per kw. h.

Remarks.—For financial and operating data, see Mount Vernon.

Central Union Gas Company; kind of gas, coal and water; supplies that portion of the city of New York known as the Twenty-third ward.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock issued, \$3,500,000; bonds outstanding, \$3,500,000; dividends, none.

Operating data.—Gas sold for public lighting, 14,095,100 cubic feet; gas sold to consumers, 1,010,716,800 cubic feet; gas manufactured for or sold to other companies, 495,480,300 cubic feet; gas manufactured for or bought by company, 2,977,100 cubic feet.

Rates charged.—For commercial service: lighting and fuel, \$1. By the passage of chapter 125 of the Laws of 1906, the rate was fixed at 80c. to take effect May 1, 1906; since that time the excess over 80c. collected has been deposited awaiting the final determination of the case now pending in the United States Circuit Court. For public service: street lamps, 3,925 hours per year; price per lamp per annum, \$21.80.

Northern Union Gas Company; kind of gas, coal and water; supplies that portion of the Twenty-fourth ward in the city of New York constituting the town and villages of West Farms, Williamsbridge and Wakefield.

(No report having been received from this company, the following figures are taken from the preliminary report of the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock issued, \$1,500,000; bonds outstanding, \$1,250,000; dividends, none.

Operating data.—Gas sold for public lighting, 17,440,400 cubic feet; sold to consumers, 364,606,200 cubic feet; gas manufactured for or bought by company, 425,415,900 cubic feet.

Rates charged.—For commercial service: lighting and fuel, \$1. By the passage of chapter 125 of the Laws of 1906, the rate was fixed at 80c. to take effect May 1, 1906; since that time the excess over 80c. collected has been deposited awaiting the final determination of the case now pending in the United States Circuit Court. For public service: for street lamps, 3,925 hours per year; price charged per lamp, \$23.55.

The New York Edison Company; supplies electricity.

Rates charged.—For public service: arc street lighting, number of arc lamps enclosed, 1,180 (450 watts at the arc) schedule, all night, 3,950 hours per year; price per lamp per annum, \$100. Incandescent street lighting: number of incandescent street lamps, 370; c. p., 25; schedule, all night, 3,950 hours per year; price per lamp per annum, \$25.

Remarks.—For financial and operating data and rates charged for commercial service, see New York city, borough of Manhattan.

Borough of Brooklyn.

(Population, 1,358,686.)

Amsterdam Electric Light, Heat and Power Company.

Financial data.—Capitalization: common stock, \$500,000; bonds outstanding, \$300,000; interest, 5 per cent; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$38,417.90; total assets, \$38,881.39. Liabilities: capital account, \$800,000; total, \$966,075. Profit and loss deficiency, \$927,193.61.

Remarks.—For operating data and rates charged, see report of controlling company, Edison Electric Illuminating Company of Brooklyn.

Brooklyn Borough Gas Co.; kind of gas, water gas; supplies Thirty-first ward, borough of Brooklyn, Fisk terrace, and Manhattan terrace; total population, 20,000.

Financial data.—Capitalization: common stock issued, \$500,000; bonds outstanding, \$588,000; dividends, none; rate of interest on bonds, 5 per cent.; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,095,539.59; total assets, \$2,141,451.77. Liabilities: capital account, \$1,088,000; total (exclusive of profit and loss account), \$2,111,462.44. Profit and loss, surplus, \$29,989.33. Capitalization per mile of main, \$18,503; construction account per mile of main, \$19,220.

Operating data.—Gross earnings from operation, \$129,311.76; operating expenses, \$89,211.29; interest on funded debt, \$26,431.21. Gas produced, 119,471,000 cubic feet; gas sold, 101,698,900 cubic feet; gas used by company, 579,000 cubic feet; gas unaccounted for 12,477,700 cubic feet; percentage of gas unaccounted for, 10.4. Number of meters in service, 2,843. Miles of main, 57 miles, 56 feet. Gas sold per capita, 5,351 cubic feet; gas sold per consumer, 34,216 cubic feet; gas sold for mile of main, 1,752,533 cubic feet; number of consumers per mile of main, 63.

Rates charged.—For commercial service: lighting, \$1.25; for fuel, gross, \$1.25. Discount of 20 per cent. to consumers using over 1,000,000 cubic feet yearly. For public service, \$0.7764. Number of street lamps supplied, 55; number of hours, 4,000; price per lamp, \$19, open flame.

Brooklyn Union Gas Company; kind of gas, water; supplies wards 1 to 28, and ward 32; total population, 1,100,085.

Financial data.—Capitalization: common stock issued, \$15,000,000; bonds outstanding, \$18,000,000; dividends, rate 7 per cent.; amount, \$1,050,000; rate of interest on bonds, 5 and 6 per cent.; balance sheet, June 30, 1906. Assets: construction and equipment account, \$33,385,575.72; total assets, \$38,475,391.33. Liabilities: capital account, \$33,000,000; total (exclusive of profit and loss account), \$35,306,049.42. Profit and loss, surplus, \$3,169,341.91. Capitalization per mile of main, \$5,351; construction account per mile of main, \$40,840.

Operating data.—Gross earnings from operation, \$7,133,884.23; operating expenses, \$4,285,885.40; interest on funded debt, \$929,250.02. Gas produced, 7,888,900,000 cubic feet; gas sold, 6,536,177,360 cubic feet; gas used by company, 32,225,800

cubic feet; gas unaccounted for, 381,592,128 cubic feet; percentage of gas unaccounted for, 4.8. Number of meters in service, 224,775; miles of main, 817 miles, 1,889 feet. Gas sold per capita (n. r.); gas sold per consumer, 28,364 cubic feet; gas sold per mile of main, 8,970,000 cubic feet; number of consumers per mile of main, 299.

Rates charged.—For commercial service: for lighting, 80c.; for fuel, 80c.; for public service, 90c. Number of street lamps, 11,689; number of hours lighted during the year, 3,925; price per lamp per year, Welsbach, \$30.75; open flame, \$15.75.

Remarks.—Of the total bond issue of \$18,000,000, \$15,000,000 are 5 per cent. bonds, and the remaining \$3,000,000, 6 per cent. convertible debentures.

Edison Electric Illuminating Company of Brooklyn; supplies electricity.

Financial data.—Capitalization: common stock, \$5,000,000; bonds outstanding, \$4,275,000; interest, 4 per cent.; amount, \$606,560; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$13,339,047.62; total assets, \$18,126,383.35. Liabilities: capital account, \$9,275,000; total (exclusive of profit and loss account), \$17,765,390.24. Profit and loss, surplus, \$260,993.11.

Operating data.—Gross earnings from operation, \$2,600,863.41; operating expenses, \$1,361,547.21. Total amount of electricity generated, 61,648,887 kw. h.; amount sold, 41,414,335 kw. h.; amount unaccounted for, 19,293,768 kw. h.; equals 31 per cent. Connected load: street lights, 4,886 kw.; connected load, commercial lights, 30,097 kw. Power, 16,689 kw.; total, 51,672 kw. Meters, 2,905,075 amperes; service transformers, 163,742 kw. capacity. Electricity generated by steam power; boiler, h. p., 22,200; engine, h. p., 23,500; generator capacity, 16,150 kw.

Rates charged.—For commercial service, flat rates: arc service, 35c. to 30c. per night, 1 a. m. service; 45c. per night, all night. Rates for metered arc and incandescent service, 12c. to 5c. per kw. h.; rates for metered power service, 10c. per kw. h.; discount, 10 per cent. to 50 per cent. For public service, arc street lighting: number of arc lamps, open, 3,044; number of arc lamps enclosed, 1,217; c. p., 2,000; 1,200 and 600; schedule, 15 minutes after sunset until 45 minutes before sunrise; price per lamp per annum (n. r.).

The Flatbush Gas Company; supplies water gas and electricity in the 29th ward; also electricity on Ocean Parkway from Foster avenue to Coney Island; total estimated population, 80,000.

Financial data.—Capitalization: common stock issued, \$200,000; bonds outstanding, \$190,000; interest, rate 5 and 6 per cent.; amount, \$10,850; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, electric, \$468,770.82; gas, \$575,359.07; total assets, \$1,260,248.80. Liabilities: capital account, \$390,000; total (exclusive of profit and loss account), \$868,901.20. Profit and loss, surplus, \$391,347.60. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, \$225,402.93; operating expenses, \$203,824.70; gas purchased, 260,208,800 cubic feet; gas sold, 212,263,600 cubic feet; gas used by company, 287,700 cubic feet; gas unaccounted for, 31,208,400 cubic feet; percentage of gas unaccounted for, 12; number of meters in service, 7,525; miles of main, 68 miles, 2,063 feet; gas sold per capita (n. r.); gas sold per consumer, 37,900 cubic feet; gas sold per mile of main, 3,216,645 cubic feet; number of consumers per mile of main, 110.

Operating data — Electric.—Gross earnings from operation, \$107,546.05; operating expenses, \$66,259.28. Total amount of electricity generated, 1,860,918 kw. h.; amount sold, 1,676,927 kw. h.; amount unaccounted for, 184,021 kw. h., equal 9.89 per cent. Connected load, street lights, 301 kw.; commercial lights, 1,400 kw.; power, 52.9 kw.; total 1,753.9 kw. Meters 7,810 amperes; service transformers, 1,941 kw. capacity. Electricity generated by steam power. Boiler, h. p., 1,200; engine, h. p., 1,350; generator capacity, 1,004.2 kw.

Rates charged — Gas.—For commercial service: lighting, 80c.; fuel, same; this rate went into effect May 1, 1906. For public buildings, \$1 per thousand cubic feet. Number of Welsbach street gas lamps, 148; price per lamp per annum, \$30.75; number of open flame, 475; price per lamp per annum, \$15.75; 3,925 hours per year.

Rates charged — Electric.—For commercial service, flat rates: arc service, 35c. per night per lamp; rates for metered arc and incandescent service, 12c. to 7c. per kw. h.; rates for metered power service 12c. to 5c. per kw. h. For public service in Flat-

bush: number of arc lamps, enclosed, 412; arc lamps, open, 247; New York city schedule; 4,000 hours per year; price per lamp per annum, \$97.50. For public service in Gravesend: number of arc lamps, enclosed, 66; New York city schedule; 4,000 hours per year; price per lamp per annum, \$97.50.

Kings County Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$8,200,000; bonds outstanding, \$7,676,000; interest on \$2,500,000, 5 per cent., on balance, 6 per cent.; dividends, rate 8 per cent.; amount, \$464,000; balance sheet, June 30, 1906. Assets: construction and equipment account, \$3,243,320.75; total assets, \$16,751,452.57. Liabilities: capital account, \$15,876,000; total (exclusive of profit and loss account), \$15,876,000. Profit and loss, surplus, \$875,452.57.

Operating data.—Net earnings of Edison Electric Illuminating Company of Brooklyn for year 1905, transferred under lease agreement, \$437,871.55; see report of operating company, Edison Electric Illuminating Company of Brooklyn.

Remarks.—For rates charged for commercial and public service, see report of operating company, Edison Electric Illuminating Company of Brooklyn.

Kings County Lighting Company; kind of gas, coal and water; supplies ward 30 and part of ward 31; population (n. r.).

Financial data.—Capitalization: common stock issued, \$2,000,000; bonds outstanding, \$2,333,000; interest, 5 per cent.; amount, \$116,450; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$4,600,938.09; total assets, \$4,955,033.45. Liabilities: capital account, \$4,333,000; total (exclusive of profit and loss account), \$4,603,458.01. Profit and loss, surplus, \$351,575.44. Capitalization per mile of main, \$31,977; construction account per mile of main, \$33,971.

Operating data.—Gross earnings from operation, \$343,676.32; operating expenses, \$179,410.83. Gas produced, 350,647,000 cubic feet; gas sold, 207,999,600 cubic feet; gas used by company, 1,296,500 cubic feet; gas unaccounted for (n. r.); percentage unaccounted for (n. r.). Number of meters in service, 8,174. Miles of main, 135 miles, 3,482 feet. Gas sold per capita, 4,254 cubic feet; gas sold per consumer, 35,028 cubic feet; gas sold per mile of main, 1,569,826 cubic feet; number of consumers per mile of main, 54.

Rates charged.—For commercial service: lighting, \$1; fuel, \$1. For public service: lighting public buildings, \$1; street lighting, number of lamps, 4,558; number of hours lighted during the year, 3,896; price per lamp per year, \$28.

Remarks.—Commercial and public lighting prices in litigation.

Borough of Manhattan.

(Population, 2,112,380.)

Brush Electric Illuminating Company of New York; supplies electricity; operated by the New York Edison Company.

Financial data.—Capitalization: common stock, \$1,000,000; bonds outstanding, \$275,000; interest, 5 per cent.; amount, \$13,750; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$842,245.39; total assets, \$1,564,444.90. Liabilities: capital account, \$1,275,000; total, \$1,678,197.49; profit and loss, deficiency, \$103,752.59.

Operating data.—Rent income, and income from operating agreement, \$52,758.51; operating expenses, \$37,419.80.

Remarks.—Operated by the New York Edison Company.

Consolidated Gas Company of New York; kind of gas, coal and water.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock issued, \$80,000,000; debenture bonds outstanding, \$1,387,000; convertible debentures, \$19,857,600; interest, rate 6 per cent. on convertible debentures.

Operating data.—Gas sold, 13,366,223,442 cubic feet.

Rates charged.—For commercial service: lighting and fuel, \$1, By the passage of chapter 125 of the Laws of 1906, and the order of the Commission, the rate was fixed at 80c., to take effect May 1, 1906; since that time the excess over 80c. has been deposited, awaiting the final determination of the case pending in the United State Circuit Court. For public service: Welsbach lamps, 3,925 hours per year; price per lamp per annum, \$24.75; open flame lamps, 3,925 hours per year; price per lamp per annum, \$17.25; for public buildings, 75c. per thousand.

Fleischauer Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$10,000; bonds, none; dividends, none; balance sheet, June 30, 1906. As-

sets: construction and equipment account, \$8,269.95; total assets, \$8,594.05. Liabilities: capital account, \$10,000; total \$10,000; profit and loss, deficiency, \$1,405.95.

Operating data.—Gross earnings from operation, \$555.70; operating expenses, \$2,023.57. Total amount of electricity generated (n. r.); amount sold, 5,557 kw. h.; amount unaccounted for (n. r.). Connected load, commercial lights, 6 kw.; power, 5 kw.; total, 11 kw. Meters, 210 amperes; transformers, none. Electricity generated by steam power. Boiler, h. p., 150; engine, h. p., 70; generator capacity, 50 kw.

Rates charged.—For commercial service; rates for metered arc and incandescent service, 10c. to 7c. per kw. h. Rates for metered power service, 7c. per kw. h. No public service.

New Amsterdam Gas Company; kind of gas, water.

(No report having been received from this Company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock issued, \$12,165,000; preferred stock, \$9,000,000; bonds outstanding, \$19,635,000.

Operating data.—Gas sold for public lighting, 120,778,900 cubic feet; gas sold to consumers, 2,373,948,900 cubic feet; gas manufactured for or sold to other companies, 2,562,464,500 cubic feet; gas manufactured for or bought by company, 62,283,200 cubic feet.

Rates charged.—For commercial service: lighting and fuel, \$1. By the passage of chapter 125, of the Laws of 1906, and the order of the Commission, the rate was fixed at 80c. to take effect May 1, 1906; since that time the excess over 80c. has been deposited, awaiting the final determination of the case now pending in the United States Circuit Court. For public service: street lamps, 3,925 hours per year; price per lamp per annum, \$12.

The New York Edison Company; supplies electricity; also supplies borough of the Bronx. Population of Manhattan and the Bronx, 2,384,010.

Financial data.—Capitalization: common stock, \$45,051,000; bonds outstanding, \$43,417,883.80; interest, 4 per cent. on \$20,929,883.80, 5 per cent. on balance; amount \$1,954,672.88; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$104,738,990.68; total assets, \$109,652,205.19. Liabilities: capital account, \$88,498,554.80; total (ex-

clusive of profit and loss account), \$99,076,517.36. Profit and loss, surplus, \$10,575,687.83.

Operating data.—Gross earnings from operation, \$10,672,835.68; operating expenses, \$6,723,843.49. Total amount of electricity generated, 223,031,300 kw. h.; amount sold, 155,680,976 kw. h.; amount unsold, 67,350,324 kw. h., equals 30 per cent. Connected load, street lights, 14,958 kw.; connected load, commercial lights, 111,874 kw.; power, 87,952 kw.; total, 214,784 kw. Meters: Manhattan, 59,355 amperes; the Bronx, 2,299 amperes; service transformers, 4,781.7 kw. capacity. Electricity generated by steam power. Boiler, h. p., 58,022; engine, h. p., 113,125; generator capacity, 75,400 kw.

Rates charged.—For commercial service: rate for metered arc and incandescent service, 10c. per kw. h.; also guaranteed contract, rate various, down to 3c. per kw. h. on monthly consumption exceeding 50,000 kw. h.; rate for metered power service, 10c. to 5c. per kw. h. For public service in Manhattan, arc street lighting: number of arcs, enclosed, in pairs, 412; schedule, all night; 3,950 hours per year; price per pair per annum, \$130; number of arc lamps enclosed (325 watts at the arc), 24; schedule, all night; 3,950 hours per year; price per lamp per annum, \$90; number of arc lamps enclosed (450 watts at the arc), 3,019; 3,950 hours per year; price per lamp per annum, \$100. Incandescent street lighting: number of incandescent street lamps, 88; c. p., 25; schedule, all night; 3,950 hours per year; price per lamp per annum, \$22.50.

Remarks.—For further rates charged for public service, see New York city, borough of the Bronx.

The New York Mutual Gas Light Company; kind of gas, water.

(No report having been received from this Company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock issued, \$3,500,000; bonds, none; dividends, 1,905; rate, 9 per cent.

Operating data.—Gas sold to consumers, 1,827,317,600 cubic feet; to other companies, 51,165,800 cubic feet, and 329,150,400 cubic feet manufactured under agency agreement; gas bought, 24,620,200 cubic feet.

Rates charged.—For commercial service: lighting and fuel, \$1. By the passage of chapter 125, of the Laws of 1906, and the order of the Commission, the rate was fixed at 80c. to take effect May

1, 1906; since that time the excess over 80c. has been deposited awaiting the final determination of the case now pending in the United States Circuit Court. No public service.

The Standard Gas Light Company of the City of New York; kind of gas, water; supplies portions of boroughs of Manhattan and the Bronx.

(No report having been received from this Company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization, common stock issued, \$4,985,700; preferred stock, \$4,295,700; bonds outstanding, \$1,285,000; dividends, 1905, rate 6 per cent.

Operating data.—Gas sold for public lighting, 13,309,800 cubic feet; gas sold to consumers, 2,022,407,000 cubic feet; gas manufactured for or sold to other companies, 613,386,840 cubic feet; gas bought or manufactured for the company, 32,786,100 cubic feet.

Rates charged.—For commercial service: lighting and fuel, \$1. By the passage of chapter 125, of the Laws of 1906, and the order of the Commission, the rate was fixed at 80c., to take effect May 1, 1906; since that time the excess over 80c. collected has been deposited, awaiting the final determination of the case now pending in the United States Circuit Court. For public service: street lamps, 3,833½ hours per year. Price per lamp per annum, \$12.50; 3,925 hours per year; price per lamp per annum, \$12.7989.

The United Electric Light & Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$3,697,100; preferred stock, \$1,649,500; bonds outstanding, \$5,095,000; interest, 5 per cent.; amount, \$241,900; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$10,748,867.47; total assets, \$13,073,943.40. Liabilities, capital account, \$10,441,600; total, \$13,709,788.36; profit and loss, deficiency, \$635,844.96.

Operating data.—Gross earnings from operation, \$1,398,604.43; operating expenses, \$1,131,699.08. Total amount of electricity generated, 22,355,400 kw. h.; amount sold, 15,570,756 kw. h.; amount unaccounted for, 6,050,531, equals 27.7 per cent. Connected load, commercial lights (n. r.); power (n. r.). Meters, 137,795 amperes; service transformers 23,037

kw. capacity. Electricity generated by steam power. Boiler, h. p., 8,800; engine, h. p., 10,950; generator capacity, 12,000 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 10c. per kw. h.; special rates for guaranteed use of current of 2,000, 2,500 and 10,000 kw. h. per month (the 2,000 and 2,500 kw. h. rate being for 10 months of the year only, guaranteed consumption); rates for metered power service, 10c. per kw. h. for the first 200 kw. h.; balance, at 8c. to 5c. per kw. h. For public service, arc street lighting: number of arc lamps enclosed, 179; schedule, New York city schedule; 3,950 hours per year; price per lamp per annum, \$100.

The West Side Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$25,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$18,090.12; total assets, \$19,061.13. Liabilities: capital account, \$25,000; total (exclusive of profit and loss account), \$25,000; profit and loss, deficiency, \$5,938.87.

Operating data.—Gross earnings from operation, \$425; operating expenses, \$2,970.71. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights (n. r.); power (n. r.). Meters, 300 amperes; service transformers, none. Electricity generated by gas power. Engine, h. p., 65; generator capacity, 47 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 10c. per kw. h.; rates for metered power service, 10c. per kw. h. No public service.

Borough of Queens.

(Population, 198,240.)

(North Beach; summer resort, second ward, Borough of Queens.)

Bowery Bay Electric Light and Power Company; supplies electricity. Operates only during summer months.

Financial data.—Capitalization: common stock, \$3,500; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$5,939.33; total assets, \$13,610.45. Liabilities: capital account, \$3,500; total, \$14,410.47; profit and loss, deficiency, \$800.

Operating data.—Gross earnings from operation, \$25,887.45; operating expenses, \$24,933.25. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for

(n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by steam power. Plant leased from Bowery Bay Building & Improvement Company; all on private property.

Rates charged.—For commercial service (n. r.); for public service (n. r.).

Remarks.—Plant operated in summer only, located on private property.

The Jamaica Gas Light Company; kind of gas, water; supplies part of ward 4; population, 27,250.

Financial data.—Capitalization: common stock issued, \$200,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$354,775.99; total assets, \$383,031.32. Liabilities: capital account, \$200,000; total (exclusive of profit and loss account), \$265,679.58. Profit and loss, surplus, \$117,351.74. Capitalization per mile of main, \$6,060; construction account per mile of main, \$10,622.

Operating data.—Gross earnings from operation, \$71,165.44; operating expenses, \$59,966.48. Gas purchased, 61,451,576 cubic feet; gas sold, 51,585,186 cubic feet; gas used by company, 196,300 cubic feet; gas unaccounted for, 7,411,884 cubic feet; percentage of gas unaccounted for, 12. Number of meters in service, 1,486. Miles of main, 33 miles, 2,019 feet. Gas sold per capita (n. r.); gas sold per consumer, 26,242 cubic feet; gas sold per mile of main, 1,630,000 cubic feet; number of consumers per mile of main, 65.

Rates charged.—For commercial service: lighting, \$1; fuel, \$1. For public service: lighting public buildings, \$1.25 and \$1; street lighting, number of lamps, 74; number of hours lighted during year, 3,925; price per lamp per year, Welsbach, \$30.75; open flame, \$21.75.

Remarks.—Public service lighting and commercial lighting in litigation.

The Newtown Gas Company; kind of gas, water; supplies second ward; population, 40,903.

Financial data.—Capitalization: common stock issued, \$60,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$597,-

594.24; total assets, \$970,465.74. Liabilities: capital account, \$60,000; total (exclusive of profit and loss account), \$354,715.69. Profit and loss, surplus, \$615,750.05. Capitalization per mile of main, \$600; construction account per mile of main, \$5,801.

Operating data.—Gross earnings from operation, \$293,767.57; operating expenses, \$222,333.81. Gas purchased, 247,900,223 cubic feet; gas sold, 177,926,633 cubic feet; gas used by company, 265,300 cubic feet; gas unaccounted for, 29,747,021 cubic feet; percentage unaccounted for, 12. Number of meters in service, 11,675. Miles of main, 102 miles, 5,114 feet. Gas sold per capita (n. r.); gas sold per consumer, 18,372 cubic feet; gas sold per mile of main, 2,115,400 cubic feet; number of consumers per mile of main, 113.

Rates charged.—For commercial service: lighting, \$1; fuel, \$1. For public service: lighting public buildings, \$1.25 and \$1; street lighting: number of lamps supplied, 2,289; number of hours lighted during year, 3,925; price per lamp per year, Welsbach, \$31.25; open flame, \$24.75.

Remarks.—Price of gas in litigation.

Wards 1, 2, 3 and 4.

New York and Queens Electric Light and Power Company; supplies electricity; population of wards 1, 2, 3 and 4 and borough of Queens, 187,901.

Financial data.—Capitalization: common stock, \$1,250,000; preferred stock, \$1,250,000; bonds outstanding, \$2,350,000; interest, 5 per cent.; amount, \$117,500; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$4,991,794.52. Total assets, \$5,482,220.77. Liabilities, capital account, \$4,850,000; total (exclusive of profit and loss account), \$5,264,362.80. Profit and loss, surplus, \$217,857.97.

Operating data.—Gross earnings from operation, \$377,426.07; operating expenses, \$232,893.25. Total amount of electricity generated, 7,911,457 kw. h.; amount sold, 6,330,090 kw. h.; amount unaccounted for, 1,581,367 kw. h., equals 24.98 per cent. Connected load, street lights, 1,196 kw.; connected load, commercial lights, 2,443 kw.; power, 1,005 kw.; total, 4,644 kw. Meters, 29,690 amperes; service transformers, 4,339.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 3,600; engine, h. p., 6,330; generator capacity, 4,780 kw.

Rates charged.—For commercial service, flat rates: special rates to a few customers, according to service; rates for metered

arc and incandescent service, 10c. per kw. h.;* rates for metered power service, 10c. per h. p. hour, with deductions on monthly consumption of 25 per cent. to 35 per cent., with an additional cash discount of 5 per cent. Minimum, under certain conditions of service, \$1 per month per rated h. p. capacity. For public service, arc street lighting: first, second, third and fourth wards, number of arc lamps, enclosed, 1,938; schedule, all night every night; 3,950 hours per year; price per lamp per annum to June 30, 1906, \$96; after June 30, 1906, \$90; number of arc lamps, enclosed, 25; schedule, all night, every night; 3,950 hours per year, free; fourth ward, number of arc lamps, enclosed, 227; schedule, all night, every night; 3,950 hours per year; price per lamp per annum, \$97.50; incandescent street lighting: in third ward, number of incandescent street lamps, 146; c. p., 32; schedule, all night, every night; 3,950 hours per year; price per lamp per annum, \$25; number of incandescent street lamps, 14; c. p., 32; schedule, all night, every night; 3,950 hours per year, free.

New York & Queens Gas Company; kind of gas, water; supplies third ward; population, 28,056.

Financial data.—Capitalization: common stock issued, \$600,000; bonds outstanding, \$1,000,000; interest, 5 per cent; amount, \$36,875; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,359,402.89; total assets, \$1,654,993.30. Liabilities: capital account, \$1,600,000; total (exclusive of profit and loss account), \$1,653,771.46. Profit and loss, surplus, \$1,221.84. Capitalization per mile of main, \$29,477; construction account per mile of main, \$20,722.

Operating data.—Gross earnings from operation, \$112,178.90; operating expenses, \$74,720.67. Gas produced, 103,545,400 cubic feet; gas sold, 82,878,800 cubic feet; gas used by company, 735,300 cubic feet; gas unaccounted for, 12,940,500 cubic feet; percentage of gas unaccounted for, 12.26. Number of meters in service, 2,557. Miles of main, 54 miles, 1,497 feet. Gas sold per capita, 5,156 cubic feet; gas sold per consumer, 24,898 cubic feet; gas sold per mile of main, 1,651,225 cubic feet; number of consumers per mile of main, 68.

Rates charged.—For commercial service: lighting, \$1.25; fuel, \$1.25. For public service: lighting public buildings, 75c.; street

* Minimum, under peculiar conditions of service, \$2.50 per arc lamp per month and 10c. per lamp on incandescents.

lighting, number of lamps, 419; number of hours lighted during year, 3,950; price per lamp per year, \$13.20.

North Beach Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$10,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.). Furnishes light and power to private premises only. Total amount of electricity generated (n. r.); connected load (n. r.). Meters, 167 amperes; service transformers (n. r.). Electricity generated by steam power. Boiler, h. p., 375; engine, h. p., 200; generator capacity, 255 kw.

Rates charged.—For commercial service, only supplies private premises. No public service.

Queens Borough Gas and Electric Company; supplies water gas and electricity in fifth ward, part of town of Hempstead and villages of Lawrence, East Rockaway, Cedarhurst, Woodmere, Hewletts and Oceanside; gas in Lynbrook, and electricity in Innwood and Valley Stream; total population, winter, 8,000 to 12,000; summer, 50,000 to 60,000.

Financial data.—Capitalization: common stock issued, \$2,000,000; bonds outstanding, \$2,000,000; interest, rate 5 per cent.; amount, \$100,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$3,930,720.96; total assets, \$4,146,595.30. Liabilities: capital account, \$4,000,000; total (exclusive of profit and loss account), \$4,100,749.90. Profit and loss, surplus, \$45,845.40. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, 101,387.01; operating expenses, \$68,675.45. Gas produced, 84,624,000 cubic feet; gas sold, 61,699,000 cubic feet; gas used by company, 324,900 cubic feet; gas unaccounted for, 15,235,100 cubic feet; percentage of gas unaccounted for, 17.95. Number of meters in service, 2,293. Miles of main, 57 miles, 2,798 feet. Gas sold per capita (n. r.); gas sold per consumer (n. r.); gas sold per mile of main, 1,217,993 cubic feet; number of consumers per mile of main (n. r.).

Operating data — Electric.—Gross earnings from operation, \$126,782.85; operating expenses, \$74,685.27. Total amount of electricity generated, 1,449,308 kw. h.; amount sold, 1,097,254

kw. h.; amount unaccounted for, 352,054 kw. h.; equals 24.29 per cent. Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by steam power. Boiler, h. p., 1,980; engine, h. p., 2,365; generator capacity, 1,775 kw.

Rates charged—Gas.—For commercial service: lighting, \$1.60; fuel, \$1.40; minimum, 40c. per month; customer using a gas range entitled to fuel rate for all gas used; power, \$1.25. For public service: number of Welsbach lamps, 394; about 4,000 hours per year; price in litigation with the city.

Rates charged—Electric.—For commercial service, flat rates: arc service, 25c. per night, 11 p. m., service with privilege of running until 12 m. Saturday nights. Rates for metered arc and incandescent service, 20c. per kw. h.; discounts, 5 per cent. to 20 per cent.; minimum, \$1 per month. Rates for metered power service, 12c. per h. p. hour; discounts, 10 per cent. to 60 per cent.; minimum, 50c. to \$1 per h. p. per month, according to size of motor; special rates for power in large quantities. For public service, arc street lighting: number of arc lamps enclosed, 228; c. p., 1,200; New York city schedule; 3,950 hours per year; price per lamp per annum, \$90; incandescent street lighting: number of incandescent street lights 15; c. p., 20; New York city schedule; 3,950 hours per year; price per lamp per annum, \$20.

OCEANSIDE.

Queens Borough Gas and Electric Company; supplies water gas and electricity.

Rates charged—Gas.—For commercial service, same rate as charged by this company in borough of Queens. See New York city, borough of Queens.

Rates charged—Electric.—For commercial service, same rate as charged by this company in borough of Queens. See New York city, borough of Queens.

Remarks.—For financial and operating data and rates charged for commercial gas and electric service. See New York city, borough of Queens.

The Richmond Hill and Queens County Gas Light Company; kind of gas, water; supplies part of fourth ward; population, 4,205.

Financial data.—Capitalization: common stock issued, \$250,000; bonds outstanding, none; dividends, none; balance

sheet, June 30, 1906. Assets: construction and equipment account, \$316,655.61; total assets, \$358,395.55. Liabilities: capital account, \$250,000; total (exclusive of profit and loss account), \$268,287.17. Profit and loss, surplus, \$90,108.38. Capitalization, per mile of main, \$11,363; construction account per mile of main, \$14,728.

Operating data.—Gross earnings from operation, \$69,828.90; operating expenses, \$54,622.15. Gas purchased, 60,168,518 cubic feet; gas sold, 46,195,694 cubic feet; gas used by company, 202,200 cubic feet; gas unaccounted for, 7,220,218 cubic feet; percentage of gas unaccounted for, 12. Number of meters in service, 2,293. Miles of main, 21 miles, 2,895 feet. Gas sold per capita (n. r.); gas sold per consumer, 24,970 cubic feet; gas sold per mile of main, 2,511,000 cubic feet; number of consumers per mile of main, 96.

Rates charged.—For commercial service: lighting, \$1; fuel, \$1. For public service: for lighting public buildings, \$1.25 and \$1; street lighting: number of lamps supplied, 484; number of hours lighted during year, 3,925; price per lamp per year, Welsbach, \$30.75; open flame, \$21.75.

Remarks.—Prices in litigation.

The Woodhaven Gas Light Company; kind of gas, water; supplies part of ward 4; population, 10,352.

Financial data.—Capitalization: common stock issued, \$20,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$173,599.49; total assets, \$176,426.42. Liabilities: capital account, \$20,000; total (exclusive of profit and loss account), \$67,896.17. Profit and loss, surplus, \$108,530.25. Capitalization per mile of main, \$625; construction account per mile of main, \$5,341.

Operating data.—Gross earnings from operation, \$53,194.43; operating expenses, \$39,688.49. Gas purchased, 49,430,857 cubic feet; gas sold, 43,285,464 cubic feet; gas used by company (n. r.); gas unaccounted for, 5,931,697; percentage of gas unaccounted for, 12. Number of meters in service, 1,641. Miles of main (n. r.). Gas sold per capita (n. r.); gas sold per consumer, 19,430 cubic feet; gas sold per mile of main, 1,359,000 cubic feet; number of consumers per mile of main, 79.

Rates charged.—For commercial service: lighting, \$1; fuel, \$1. For public service: lighting public buildings, \$1.25 and \$1;

street lighting: number of lamps, 4; number of hours lighted during the year, 3,925; price per lamp per year, Welsbach, \$30.75.

Remarks.— Commercial and public lighting prices in litigation.

Borough of Richmond.

(Population, 72,845.)

New York and Richmond Gas Company; kind of gas, coal and water; supplies 1st, 2d, 3rd and 4th wards; population, 65,000.

Financial data.— Capitalization: common stock issued, \$1,500,000; bonds, outstanding, \$1,225,000; interest, rate 5 per cent.; amount, \$6,665.20; dividends, rate, 1 per cent.; amount, \$15,000; balance sheet, June 30, 1906. Assets: construction and equipment account, \$2,726,150.99; total assets, \$2,857,414.05. Liabilities: capital account, \$2,725,000; total (exclusive of profit and loss account), \$2,825,087.25. Profit and loss, surplus, \$32,326.80. Capitalization per mile of main, \$39,113; construction account per mile of main, \$35,543.

Operating data.— Gross earnings from operation, \$210,272.65; operating expenses, \$123,096.06. Gas produced, 181,850,800 cubic feet; gas sold, 161,771,600 cubic feet; gas used by company, 2,144,400 cubic feet; gas unaccounted for, 15,282,600 cubic feet; percentage of gas unaccounted for, 8.4. Number of meters in service, 5,478. Miles of main, 76 miles, 3,937 feet. Gas sold per capita, 2,600 cubic feet; gas sold per consumer, 23,100 cubic feet; gas sold per mile of main, 2,170,200 cubic feet; number of consumers per mile of main, 93.

Rates charged.— For commercial service: lighting, \$1.25 gross, \$1.15 net; fuel, \$1.25 gross. For public service: lighting public buildings, \$1.35 to \$1.25.

Richmond Light and Railroad Company; supplies electricity.

Financial data.— Capitalization: common stock, \$2,871,750; bonds outstanding, \$2,200,000; interest, 4 per cent.; amount, \$88,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$4,707,785.73; total assets, \$5,566,211.70. Liabilities: capital account, \$5,071,750; total, \$5,581,576.24; profit and loss, deficiency, \$15,364.54.

Operating data.— Gross earnings from operation, \$237,616.05; operating expenses, \$232,860.55. Total amount of electricity generated, 7,879,199 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 350 kw.; con-

nected load, commercial lights, 2,926 kw; power, 445 kw; total, 3,721 kw. Meters, 24,600 amperes; service transformers, 2,373.4 kw. capacity. Electricity generated by steam power. Boiler, h. p., 4,550; engine, h. p., 6,200; generator capacity, 3,800 kw.

Rates charged.—For commercial service, flat rates: arc service, \$8.33 to \$5 per lamp per month; incandescent service, \$1.25 to \$1 per month. Rates for metered arc and incandescent service: 10c. per kw. h., 5 per cent. discount; minimum, \$1.50 per month; rates for metered power service, same. For public service, arc street lighting: number of arc lamps, enclosed, 594; c. p., 2,000; schedule furnished by the city of New York; 3,950 hours per year; price per lamp per annum, \$100. Incandescent street lighting: number of incandescent street lamps, 3,606; c. p., 25; schedule furnished by the city of New York; 3,950 hours per year; price charged per lamp per annum, \$25.

NEW YORK MILLS.

(Population, 2,600.)

Utica Gas and Electric Company; supplies water gas and electricity.

Rates charged — *Gas.*—For commercial service: same rate as charged by this company in Utica. See Utica.

Remarks.—For financial and operating data and rates charged for commercial gas service and commercial and public electric service. See Utica and towns of New Hartford and Whitestown.

NIAGARA FALLS.

(Population, 26,560.)

Buffalo and Niagara Falls Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$200,000; bonds outstanding, \$500,000; interest, 5 per cent.; amount, \$25,000; dividends, rate, 12.85 per cent.; total, \$25,700; balance sheet, June 30, 1906. Assets: construction and equipment account, \$764,215.34; total assets, \$884,169.38. Liabilities: capital account, \$700,000; total (exclusive of profit and loss account), \$733,163.08. Profit and loss, surplus, \$151,006.30.

Operating data.—Gross earnings from operation, \$162,455.29; operating expenses, \$78,480.99. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for

(n. r.). Connected load, street lights, 376 kw.; connected load, commercial lights, 2,251 kw.; power, 459 kw.; total, 3,087 kw. Meters, 3,015 amperes; service transformers, 1,841 kw. capacity. Current purchased. Generator capacity, 1,050 kw.

Rates charged.—For commercial service, flat rates: arc service, \$6.20 per month, discount, 10 per cent.; incandescent service, 20c. per 4 c. p. l. per month; 30c., 8 c. p. l.; 40c., 16 c. p. l.; larger on equivalent basis; discount 10 per cent. Rate for metered incandescent service, 8.3c. per kw. h.; discount, 10 per cent.; minimum, \$1.25. For metered arc service, 5c. per lamp hour; minimum, \$2.50 per month per lamp; 10 per cent. discount. Rates for power service, \$35 to \$25 per h. p. For public service, arc street lighting: number of arc lamps, enclosed 510; schedule, all night, every night; 4,000 hours per year; price per lamp per year, \$65.

Niagara Falls Gas and Electric Light Co.; supplies coal gas in Niagara Falls and electricity in village of LaSalle; total population, 27,200.

Financial data.—Capitalization: common stock issued, \$150,000; bonds outstanding, \$201,500; interest, rate 5 per cent.; amount, \$10,075.; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$389,322.46; electric, \$17,299.73; total assets, \$424,983.95. Liabilities: capital account, \$351,500; total, \$464,960.21; profit and loss, deficit, \$39,976.26. Capitalization per mile of main (n. r.); construction account per mile of main, \$18,717.

Operating data — Gas.—Gross earnings from operation, \$33,026.06; operating expenses, \$26,507.86. Gas produced, 28,192,000 cubic feet; gas sold, 23,263,600 cubic feet; gas used by company, 572,800 cubic feet; gas unaccounted for, 4,238,100 cubic feet; percentage of gas unaccounted for, 15. Number of meters in service, 1,169. Miles of main, 20 miles, 4,291 feet. Gas sold per capita (n. r.); gas sold per consumer (n. r.); gas sold per mile of main, 798,463 cubic feet; number of consumers per mile of main, 55. Residuals: coke, 2,631 net tons; tar, 53,000 gallons.

Operating data — Electric.—Gross earnings from operation (included with gas); operating expenses (included with gas). Total amount of electricity generated, 5,500 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.); equal 10 per cent. Connected load, street lights, none; commercial lights, 30 kw.;

power, none; total, 30 kw. Meters, 145 amperes; service transformers, 36 kw. capacity. Current purchased. Generator capacity, 60 kw.

Rates charged — Gas.—For commercial service, lighting: under 2,000 cubic feet per month, \$1.90 gross, \$1.70 net; over 2,000 cubic feet per month, \$1.40 gross, and \$1.20 net; over 20,000 cubic feet for power per month, \$1 net. No public service.

Rates charged — Electric.—For commercial service, flat rates: incandescent service, 50c. per month per 16 c. p. l.; discount, 10 per cent. Rates for metered arc and incandescent service: not exceeding 50 kw. h. per month, 12c. per kw. h.; from 50 to 100 kw. h. per month, 11c. per kw. h.; over 100 kw. h. per month, 10c. per kw. h.; minimum rate, \$1 per month.

Remarks.—For rates charged for public service, see La Salle. Gross earnings from operation, gas, and operating expenses, gas includes electric.

The Niagara Falls Hydraulic Power and Manufacturing Company; supplies electricity.

Financial data.—Capitalization: common stock, \$500,000; bonds outstanding, \$1,850,000; interest, 4 per cent. on \$650,000; 5 per cent. on balance; dividends, rate 6 per cent.; amount, \$30,000; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,981,611.87; total assets, \$3,702,666.72. Liabilities: capital account, \$2,350,000; total (exclusive of profit and loss account), \$2,486,089.12. Profit and loss, surplus, \$1,216,577.60.

Operating data.—Gross earnings from operation, \$302,443.28; operating expenses, \$100,436.59. Total amount of electricity generated (n. r.); amount sold, average 24,036 h. p. per month; amount unaccounted for (n. r.). Connected load power, average 2,983 h. p. per month. Electricity generated by water power. Water wheel, h. p., 34,150; generator capacity, 8,670 kw.

Rates charged.—For commercial service: rate for metered power service, 2c. per kw. h.; also flat rates, \$35 to \$25 per h. p. per year. No public service.

Niagara Falls Power Company; supplies electricity; supplies other power and lighting companies in bulk, and consumers on its own lands.

Financial data.—Capitalization: common stock, \$4,180,700; bonds outstanding, \$17,980,000; interest, 5 per cent. on \$10,000,-

000, 6 per cent. on balance; amount, \$978,920; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$15,469,974.92; total assets, \$25,107,464.93. Liabilities: capital account, \$22,162,700; total (exclusive of profit and loss account), \$24,189,159.79. Profit and loss, surplus, \$918,305.14.

Operating data.—Gross earnings from operation, \$1,308,911.28, including income from other sources; operating expenses, \$319,775.93. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Total connected load, power, 66,000 kw., including incidental arc and incandescent service. Meters, 70,060 amperes; service transformers, 62,148 kw. capacity. Electricity generated by water power. Water wheel, h. p., 10,867.5; generator capacity, 82,708 kw.

Rates charged.—For commercial service: rates for power service, \$24 to \$14 per h. p.; also metered rate, 75c. per month per kw. of maximum demand, service charge; and 1c. and 1½c. per kw. h. for 10-hour service. No public service.

Suburban Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$10,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$7,463.51; total assets, \$10,531.50. Liabilities: capital account, \$10,000; total (exclusive of profit and loss), \$610,128.17. Profit and loss, surplus, \$403.33.

Operating data.—This company has one customer in the village of La Salle, the Niagara Falls Gas and Electric Light Company, which purchases power with which to generate electricity for incandescent lighting. Gross earnings from operation, \$780.27; operating expenses, \$690.65. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, power, 50 kw. Meters, 5 amperes; service transformers, none. Current purchased.

Rates charged.—For commercial service: rates for power service, \$33.50 per kw. per annum. No public service.

NICHOLS.

(Population, 600.)

The Nichols Gas Company; supplies acetylene gas.

Construction and equipment, \$1,025. Number of feet sold (n. r.). Rates charged, commercial service: lighting, \$15 per thousand cubic feet.

NICHOLVILLE.

Nicholville Electric Light Plant, Partnership; supplies electricity. Also supplies Hopkinton and Port Jackson. Motive power, water. Construction and equipment, \$7,156. Number of consumers, 55.

Rates charged.—Commercial service: lighting, flat rate; stores, \$2.64 per 16 c. p. l. per year; \$5 per 32 c. p. l. per year; houses, \$1.92 per 16 c. p. l. per year; \$3.80 per 32 c. p. l. per year. Public service, incandescent lighting, 30c. per month per 32 c. p. l.; 16c. per 16 c. p. l.; 10c. per month per 8 c. p. l.

NISKAYUNA.

(Population, 1445.)

Schenectady Illuminating Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Schenectady.

NORTH CHATHAM.

Albany and Hudson Railroad Company; supplies electricity.

Rates charged.—*Electric.*—For public service, incandescent street lighting: number of incandescent street lamps, 15; c. p., 25; schedule, moonlight, midnight; 1,638 hours per year; price per lamp per annum, \$13.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Rensselaer.

NORTH COLLINS.

(Population, 500.)

The North Collins Fuel and Supply Company; supplies natural gas.

Financial data.—Capitalization: common stock issued, \$20,000; bonds outstanding, \$5,500; interest, rate 6 per cent.; amount, \$330; dividends, none.

Operating data.—Gross earnings from operation, \$2,000; operating expenses, \$750; number of wells operating, 4; gas sold, 8,000,000 cubic feet. Miles of main, 2 miles, 364 feet.

Rates charged.—For commercial service: lighting and fuel, 25c.

NORFOLK.

Norwood Electric Light and Power Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 65; c. p., 25; schedule,

6 months until 1 A. M., and from 5 A. M. to daylight 6 months; price per lamp per year, \$8.

Remarks.—For financial and operating data and rates charged for commercial service, see Norwood.

NORTHPORT.

(Population, 1,803.)

The Northport Electric Light Company; supplies electricity; also supplies Centerport and Greenlawn.

Financial data.—Capitalization: common stock, \$30,000; bonds outstanding, \$15,000; interest, 5 per cent.; amount, \$750; dividends, 6 per cent.; amount, \$1,800; balance sheet, June 30, 1906. Assets: construction and equipment account, \$53,736.81; total assets, \$59,371.99. Liabilities: capital account, \$45,000; total (exclusive of profit and loss account), \$49,049.17. Profit and loss, surplus, \$10,322.82.

Operating data.—Gross earnings from operation, \$15,338.35; operating expenses, \$12,681.13. Total amount of electricity generated, 223,484 kw. h.; amount sold, 129,205 kw. h.; amount unaccounted for, 94,279 kw. h., equals 42.18 per cent. Connected load, commercial lights, 375 kw. Meters, 2,415 amperes; service transformers, 144.6 kw. capacity. Electricity generated by steam power. Boiler, h. p., 300; engine, h. p., 360; generator capacity, 225 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 15c. per kw. h.; minimum, \$1; rates for power, small power motors, 15c. per kw. h.; minimum charge, \$1 per month. For railway service: 6½c. per kw. h. for first 3,000 kw. h., then 4c. per kw. h.; \$200, minimum. For public service, incandescent street lighting: number of incandescent street lamps, 110; c. p., 20; schedule, moonlight, all night; 2,738 hours per year; gross price for 110 lamps, \$2,000 per annum; average, \$18.18.

NORTH TARRYTOWN.

(Population, 4,750.)

Westchester Lighting Company; supplies electricity.

Rates charged — Electric.—For public service, incandescent street lighting: number of incandescent street lamps, 176; c. p., 20; New York city schedule; 3,950 hours per year; price per lamp per annum, \$21.50.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

NORTH TONAWANDA.

(Population, 10,157.)

Niagara Light, Heat and Power Company; kind of gas, coal; also natural.

Remarks.—For financial and operating data and rates charged, see Tonawanda.

Tonawanda Power Company; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lamps, enclosed, 204; c. p., 1,200; schedule, all night; 4,000 hours per year; price per lamp per annum, \$70. Incandescent street lighting: number of incandescent street lights, 3; c. p., 32; schedule, all night; 4,000 hours per year; price per lamp per annum, \$20.

Remarks.—For financial and operating data and rates charged for commercial service, see Tonawanda.

NORTHVILLE.

(Population, 1,142.)

Individual plant; name of owner, William Harris; supplies electricity; motive power, steam. Construction and equipment (n. r.). Number of consumers (n. r.).

Rates charged.—Commercial service: lighting, 16c. per kw. h.; public service: incandescent street lighting, 80c. per month per 16 c. p. l.; \$1 per month per 25 c. p. l.; \$1.25 per 32 c. p. l.

NORWICH.

(Population, 7,500.)

Norwich Gas and Electric Co.; supplies water gas and electricity.

Financial data.—Capitalization: common stock, issued, \$100,000; bonds outstanding, \$85,000; interest, rate 5 per cent.; amount \$4,250; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$121,572.19; electric, \$89,037.63; total assets, \$216,004.92. Liabilities: capital account, \$185,000; total (exclusive of profit and loss account), \$215,303.18. Profit and loss, surplus, \$701.74. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.— Gross earnings from operation, \$12,878.95; operating expenses, \$9,116.58. Gas produced, \$9,079,400 cubic feet; gas sold, 8,444,800 cubic feet; gas used by company, 102,600 cubic feet; gas unaccounted for, 528,500 cubic feet; percentage of gas unaccounted for, 5.6. Number of meters in service, 611. Miles of main (n. r.). Gas sold per capita, 1,100 cubic feet; gas sold per consumer, 17,412 cubic feet; gas sold per mile of main, 2,111,200 cubic feet; number of consumers per mile of main (n. r.).

Operating data — Electric.— Gross earnings from operation, \$13,034.27; operating expenses, \$10,889.82. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters, 1,220 amperes; service transformers, 121.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 375; engine, h. p., 250; generator capacity, 140 kw.

Rates charged — Gas.— For commercial service: lighting, \$2 gross, \$1.80 net; fuel, \$1.50 gross, \$1.40 net; power, \$1 net. Public service, none.

Rates charged — Electric.— For commercial service: rates for metered arc and incandescent service, 15c. to 8c. per kw. h. For public service, arc street lighting: number of arc lamps enclosed, 81 c. p., 1,200; schedule, May 15th to November 15th, 3 A. M.; November 15th to May 15th, all night; price per lamp per annum, \$61.50.

NORWOOD.

(Population, 1,779.)

Norwood Electric Light and Power Company; supplies electricity; also supplies Norfolk.

Financial data.— Capitalization: common stock, \$5,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$21,000; total assets, \$21,720. Liabilities: capital account, \$5,000; total (exclusive of profit and loss account), \$12,025. Profit and loss, surplus, \$9,695.

Operating data.— Gross earnings from operation, \$6,200; operating expenses, \$2,350. Total amount of electricity generated, 76,500 kw. h., estimated; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 12.6 kw.; connected load, commercial lights, 54 kw.; total, 66.7 kw. Meters, 200 amperes; service transformers, 900 kw. capacity. Electricity

generated by water power, steam auxiliary. Boiler, h. p., 75; engine, h. p. (n. r.); water wheel, h. p. 180; generator capacity, 120 kw.

Rates charged.—For commercial service, flat rates: incandescent service, residences, 30c. per month per 16 c. p. l.; business places, 50c. per month. Rates for metered arc and incandescent service, 10c. to 8c. per kw. h. For public service in Norwood, arc street lighting: number of arc lamps, enclosed, 30; c. p., 1,200; schedule, moonlight; price per lamp per annum, \$50.

Remarks.—For further rates charged for public service, see Norfolk.

NYACK.

(Population, 4,441.)

Rockland Light and Power Company; supplies electricity; also supplies South Nyack, upper Nyack, Grand View, Piermont, Haverstraw, West Haverstraw and Spring Valley; also portions of towns of Orangetown, Clarkstown, Ramapo, Haverstraw and Stony Point.

Financial data.—Capitalization: common stock, \$160,000; preferred stock, \$100,000; bonds outstanding, \$300,000; interest, 5 per cent.; amount, \$15,000; dividends, 6 per cent. on preferred stock; amount, \$6,000; balance sheet, June 30, 1906. Assets: construction and equipment account, \$517,709.51; total assets, \$634,051.36. Liabilities: capital account, \$560,000; total, \$640,280.58; profit and loss, deficiency, \$6,779.22.

Operating data.—Gross earnings from operation, \$85,055.30; operating expenses, \$57,595.12. Total amount of electricity generated, 1,952,362 kw. h.; amount sold, 1,332,155 kw. h.; amount unaccounted for, 620,207 kw. h.; equals 31 per cent. Connected load, street lights, 100 kw.; connected load, commercial lights, 973 kw.; power, 432, kw.; total, 1,505 kw. Meters, 9,764 amperes; service transformers, 1,070.7 kw. capacity. Electricity generated by steam power. Boiler, h. p., 1,046; engine, h. p., 1,975; generator capacity, 563 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 70c. per 16 c. p. l. per month. Rates for metered arc and incandescent service, sliding scale, 20c. per kw. h., for first hour; 10c. second hour; 5c. for all over two hours average daily use of installation, discount 10 per cent.; also Doherty rate, \$1 consumer charge, plus 15c. per 16 c. p. l. capacity per month, plus 5c. per kw. h. for all current consumed, discount, 10 per cent.; rate for metered power service, 10c. per kw. h.; discount, 20 per

cent. to 50 per cent.; minimum, \$1.50 to \$2.50 per h. p. per month; also special rate, 4c. per kw. h. net, to large consumers for restricted service off the peak of the load. For public service in Nyack, arc street lighting: number of arc lamps, enclosed, 55; c. p., 2,000; schedule, all night, every night, 4,000 hours per annum; price per lamp per year, \$88. Incandescent street lighting: number of incandescent street lamps, 43; c. p., 25; schedule, all night, every night, 4,000 hours per year; price per lamp per annum, \$19.

Remarks.—For further rates charged for public service, see South Nyack, Upper Nyack, Haverstraw, Grand View, Piermont, West Haverstraw and Nanuet lighting district.

Nyack Gas Light and Fuel Co.; kind of gas, water; also supplies South Nyack and Upper Nyack; total population, 6,937.

Financial data.—Capitalization: common stock issued, \$50,000; bonds outstanding, \$120,000; interest, rate 5 per cent.; amount, \$3,500; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$116,500.08; total assets, \$134,969.93. Liabilities: capital account, \$120,000; total (exclusive of profit and loss account), \$127,904.54. Profit and loss, surplus, \$7,065.39. Capitalization per mile of main, \$9,076; construction account per mile of main, \$8,789.

Operating data.—Gross earnings from operation, \$24,961.85; operating expenses, \$19,851.66; gas produced (n. r.); gas sold, 16,752,000 cubic feet; gas used by company, 47,000 cubic feet; gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.); number of meters in service, 686; miles of main, 13 miles, 3,206 feet; gas sold per capita, 2,400 cubic feet; gas sold per consumer, 22,400; gas sold per mile of main, 1,400,000 cubic feet; number of consumers per mile of main, 55.

Rates charged.—For commercial service: lighting, \$2 gross, \$1.60 net; fuel, \$2 gross; discount of 25 per cent. for fuel. If general consumption exceeds 20,000 cubic feet per month, 30 per cent. discount, and exceeding 40,000 cubic feet, 35 per cent. For public service, lighting public buildings free.

NUNDA.

(Population, 1,000.)

Nunda Casket Company, Partnership; supplies electricity; motive power steam.

Financial data.—Construction and equipment (n. r.); number of consumers, 35.

Rates charged.—Commercial service: arc service, \$55 per lamp per year; incandescent service, \$6 per lamp per year. Public service: lighting public buildings, 1c. per hour per 16 c. p. lamp.

OGDENSBURG.

(Population, 12,000.)—

Ogdensburg Gas Company; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$100,000; bonds outstanding, \$20,000; interest, rate 6 per cent.; amount (n. r.); dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$120,000; total assets, \$121,587.34. Liabilities: capital account, \$115,500; total liabilities, \$151,008.13. Profit and loss, deficit, \$29,420.79; Capitalization per mile of main, \$17,647; construction account per mile of main, \$17,647.

Operating data.—Gross earnings from operation, \$22,276.40; operating expenses, \$16,159.94; gas produced, 13,500,200 cubic feet; gas sold, 9,733,200 cubic feet; gas used by company, 278,200 cubic feet; gas unaccounted for 2,957,776 cubic feet; percentage of gas unaccounted for 21.9. Number of meters in service, 749. Miles of main, 6 miles, 4,596 feet. Gas sold per capita, 878 cubic feet; gas sold per consumer, 19,138 cubic feet; gas sold per mile of main, 1,622,360 cubic feet.; number of consumers per mile of main, 80; residuals: coke, 1,314 net tons; tar, 10,906 gallons.

Rates charged.—For commercial service: lighting, \$2.25 gross; \$2 net; fuel, \$2, 50c. per thousand cubic feet discount for fuel for prompt payment. For public service: lighting public buildings, \$2.

Northern Power Company; to supply current to Ogdensburg Power and Light Company; office, Potsdam.

Remarks.—Plant under construction, not completed June 30, 1906.

Ogdensburg Power and Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$50,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$102,041.16; total assets, \$113,996.17. Liabilities: capital account, \$50,000; total, \$149,597.66. Profit and loss, deficiency, \$35,601.49.

Operating data.—Gross earnings from operation, \$28,397.22; operating expenses, \$15,320.67; total amount of electricity gen-

erated, 460,000 kw. h.; amount sold, 282,000 kw. h.; amount unaccounted for, 178,000 kw. h.; equals, 40 per cent. Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 5,135 amperes; service transformers, 460 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 250; engine, h. p., 400; generator capacity, 330 kw.

Rates charged.—For commercial lighting, flat rates: arc service, 25c. per lamp; rate for metered arc and incandescent service, 15c. per kw. h.; discount, 15 per cent. to 50 per cent.; rate for metered power service, 7½c. per kw. h.; discount on motor service, 10 per cent.; fan motors, incandescent meter rates. For public service: arc street lighting, number of arc lamps, enclosed, 127; c. p., 2,000; schedule, all night, every night; price per lamp per annum, \$72.

Remarks.—See Northern Power Company.

OLEAN.

(Population, 10,163.)

Olean Electric Light and Power Company; supplies electricity; also supplies town of Olean.

Financial data.—Capitalization: common stock, \$34,500; bonds outstanding, \$11,000; interest, 5 per cent.; amount, \$550; dividends, rate 6 per cent.; amount, \$2,100; balance sheet, June 30, 1906. Assets: construction and equipment account, \$47,051.90; total assets, \$56,046.59. Liabilities: capital account, \$46,000; total (exclusive of profit and loss account), \$49,042.90. Profit and loss surplus, \$7,003.69.

Operating data.—Gross earnings from operation, \$20,027.40; operating expenses, \$15,743.47. Total amount of electricity generated, 402,722 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load: street lights, 56 kw.; connected load, commercial lights, 120 kw.; power, 112 kw.; total, 288 kw. Meters, 2,775 amperes; service transformers, 265.25 kw. capacity. Electricity generated by steam power. Boiler, h. p., 450; engine, h. p., 525; generator capacity, 896 kw.

Rates charged.—For commercial service, flat rates: arc service, \$5 per month per lamp; incandescent service, 75c. per month per 16 c. p. l. Rates for metered arc and incandescent service, 15c. to 8c. per kw. h.; discount, 10 per cent.; minimum, 83c. per month, rates for metered power service, 8c. to 5c. per kw. h.; mini-

num, \$1 per month. For public service: arc street lighting, number of arc lamps, enclosed, 101; c. p., 2,000; schedule, one-half hour after sunset to one-half hour before sunrise; 4,000 hours per year; price per lamp per annum, \$85.

Producers Gas Company; supplies natural gas in East Olean, Boardmanville, Portville, Friendship, Belfast, Belmont and Angelica; total population, 7,604.

Financial data.—Capitalization: common stock issued, \$300,000; bonds outstanding, \$100,000; interest, rate 6 per cent.; amount (n. r.); dividends, rate 6 per cent.; amount, \$18,000.

Operating data.—Gross earnings from operation, \$78,632.70; operating expenses, \$42,179.15. Number of wells operating (n. r.); gas sold, 308,424,000 cubic feet; miles of main, 34 miles, 4,238 feet.

Rates charged.—For commercial service: lighting and fuel, 29c., with discount of 2c. for prompt payment. For public service, street lighting: number of lamps, 195; price per lamp, 22½c., 30c. and 50c. per month.

ONEIDA.

(Population, 8,420.)

Madison County Gas and Electric Company; supplies coal gas and electricity; also supplies Oneida Castle and Canastota; total population, 12,021.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$200,000; preferred stock, \$100,000; bonds outstanding, \$250,000; dividends, none.

Operating data — Gas.—Gas sold annually, 13,500,000 cubic feet,

Operating data — Electric.—Electricity generated by steam power, 180,000 kw. h., supplied to street railway company.

Rates charged — Gas.—For commercial service: lighting, \$1.75 to \$1.50; fuel, \$1.50. No public service.

Rates charged — Electric.—For commercial service: rates for metered arc and incandescent service, 12c. to 10c. per kw. h.; rates for metered power service, 10c. to 5c. per kw. h. For public service in Oneida: number of arc lamps, enclosed, 36; c. p., 1,200; schedule, all night, every night; incandescent street lighting:

number of incandescent street lamps, 26; c. p., 16; price charged per annum for arc and incandescent lamps, \$7,144.92 gross.

Remarks.—For further rates charged for public service, see Canastota.

ONEIDA CASTLE.

(Population, 357.)

Madison County Gas and Electric Company; supplies electricity.

Rates charged — Electric.—For public service, incandescent street lighting: number of incandescent street lamps, 24; c. p., 16; schedule, all night, every night; price per annum, \$234 gross.

Remarks.—For financial and operating data and rates charged for commercial service, see Oneida.

ONEONTA.

(Population, 7,500.)

Oneonta Light and Power Co.; supplies water gas and electricity.

Financial data.—Capitalization: common stock issued, \$100,000; preferred, issued, \$75,000; bonds outstanding, \$175,000; interest, rate 5 per cent.; amount, \$8,750; dividends, rate 6 per cent.; amount, \$4,500; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$379,710.27; total assets, \$390,678.72. Liabilities, capital account, \$350,000; total (exclusive of profit and loss account), \$368,373.13. Profit and loss, surplus, \$22,305.59. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, \$14,683.97; operating expenses, \$15,339.42. Gas produced (n. r.); gas sold, 8,500,000 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.). Number of meters in service, 749. Miles of main, 6 miles, 270 feet. Gas sold per capita, 1,000 cubic feet; gas sold per consumer, 25,000 cubic feet; gas sold per mile of main, 1,500,000 cubic feet; number of consumers per mile of main, 91.

Operating data — Electric.—Gross earnings from operation, \$20,019.46; operating expenses, included with gas. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 60 kw.; commercial lights, 120 kw.; power, 112 kw.; total, 292

kw. Meters (n. r.); service transformers, 125 kw. capacity. Electricity generated by water power, steam auxiliary. Boiler, h. p., 250; engine, h. p., 240; water wheels, h. p., 500; generator capacity, 250 kw.

Rates charged—Gas.—For commercial service: lighting and fuel, \$1.75; special rate for power, \$1.25; price to be reduced January 1st to \$1.50. No public service.

Rates charged—Electric.—Commercial service, flat rates: arc service, \$5 per month per lamp; incandescent service, \$9 per annum per 16 c. p. h. to \$18 for all night service in business places. Meter service only after January 1, 1907, at 10c. per kw. h. Rates for metered arc and incandescent service, 15c. per kw. h., to be reduced January 1, 1907, as above, to 10c. per kw. h. Rates for metered power service, 10c. per kw. h. for small users, from \$150 to \$30 per h. p. in bulk. For public service, arc street lighting: number of arc lights, enclosed, 80c.; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$95.

Remarks.—Operating expenses, gas; includes electric.

ORANGETOWN.

Rockland Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Nyack.

ORISKANY.

Utica Gas and Electric Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Utica.

ORISKANY FALLS.

(Population, 1,000.)

Individual plant; name of owner, Edward S. Hamblin; supplies electricity; motive power, water.

Financial data.—Construction and equipment, \$5,635.80.

Operating data.—Number of consumers, 43.

Rates charged.—Commercial service lighting from 18c. to 30c. per lamp per month; meter service, 10c. per kw. h., with discount from 5 to 25 per cent. Public service: arc lighting, \$42 per lamp per year; incandescent lighting, 25c. per lamp per month.

OSSINING.

(Population, 7,135.)

Northern Westchester Lighting Company; supplies water gas and electricity in village of Ossining and electricity in part of town of Ossining, in towns of Cortlandt and New Castle, and villages of Briarcliff Manor, Pleasantville and Croton; total population, 18,000.

Financial data.—Capitalization: common stock issued, \$804,000; bonds outstanding, \$714,000; interest, rate 4 and 5 per cent.; amount, \$29,075.52; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$1,437,744.38; total assets, \$1,587,481.56. Liabilities: capital account, \$1,518,000; total (exclusive of profit and loss account), \$1,582,710.43. Profit and loss, surplus, \$4,771.13. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data—Gas.—Gross earnings from operation, \$23,697.99; operating expenses, \$15,793.40. Gas produced, 17,627,300 cubic feet; gas sold, 14,693,500 cubic feet; gas used by company, 260,500 cubic feet; gas unaccounted for, 2,618,600 cubic feet; percentage of gas unaccounted for, 14.8. Number of meters in service, 748. Miles of main, 12 miles, 802 feet. Gas sold per capita, 1,500 cubic feet; gas sold per consumer 17,066 cubic feet; gas sold per mile of main, 1,235,080 cubic feet; number of consumers per mile of main, 70.

Operating data—Electric.—Gross earnings from operation, \$65,100.04; operating expenses, \$38,994.67. Total amount of electricity generated (n. r.); amount sold, 700,937 kw. h.; amount unaccounted for (n. r.). Connected load, street lights, 5 kw.; commercial lights, 720 kw.; power, 208 kw.; total, 933 kw. Meters, 8,235 amperes; service transformers, 478.4 kw. capacity. Electricity generated by steam power. Boiler, h. p., 1,200; engine, h. p., 1,280; generator capacity, 775 kw.

Rates charged—Gas.—For commercial service lighting and fuel, \$1.50. No public service, except for public buildings, at \$1.50 per thousand.

Rates charged—Electric.—For commercial service: rates for metered arc and incandescent service in Ossining and Croton, 20c. per kw. h.; discounts, 10 per cent. to 20 per cent.; minimum, \$1; rates for metered power service, 7½c. per kw. h.; minimum, \$1 per h. p. per month. For public service in Ossining, arc street light-

ing: number of arc lamps, enclosed, 11; c. p., 1,200; schedule, all night; 4,000 hours per year; price per lamp per annum, \$100; incandescent street lighting: number of incandescent street lamps, 412; c. p., 25; schedule, all night; 4,000 hours per year; price per lamp per annum, \$23. For public service in town of Ossining, incandescent street lighting: number of incandescent street lamps, 17; c. p., 25; schedule, all night; 4,000 hours per year; price per lamp per annum, \$23.

Remarks.—For further rates charged for public service, see Briarcliff Manor, Croton and Pleasantville.

OSSINING (Town).

(Population, 1,000.)

Northern Westchester Lighting Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial and public electric service, see Ossining.

OSWEGO.

(Population, 22,000.)

Peoples Gas and Electric Company of Oswego; supplies coal, gas and electricity.

Financial data.—Capitalization: common stock issued, \$450,000; bonds outstanding, \$450,000; interest, rate 5 per cent.; amount, \$22,500; dividends, none; balance sheet June 30, 1906. Assets: construction and equipment account, gas and electric, \$900,000; total assets, \$928,830.88. Liabilities: capital account, \$900,000; total, \$962,396.67; profit and loss, deficit, \$33,565.79. Capitalization per mile of main (n. r.). Construction account per mile of main (n. r.).

Operating data—Gas.—Gross earnings from operation, \$36,674.78; operating expenses, \$72,254.17. Gas produced, 29,482,000 cubic feet; gas sold, 24,424,200 cubic feet; gas used by company, 274,800 cubic feet; gas unaccounted for, 4,783,000 cubic feet; percentage of gas unaccounted for, 16. Number of meters in service (n. r.). Miles of main, 24 miles, 3,462 feet. Gas sold per capita, 1,122 cubic feet; gas sold per consumer, 16,466 cubic feet; gas sold per mile of main, 987,960 cubic feet; number of consumers per mile of main, 49. Residuals: coke, 1,226 net tons; tar, 40,140 gallons.

Operating data—Electric.—Gross earnings from operation, \$67,824.79; operating expenses (included with gas); total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 122 kw.; commercial lights (n. r.); power, 1,500 kw.; total, 1,622 kw.; meters, 5,700 amperes; service transformers, 700 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 500; engine, h. p., 1,000; water wheels, h. p., 1,400; generator capacity, 1,000 kw.

Rates charged—Gas.—For commercial service: lighting and fuel, \$1.50 gross; \$1.25 net; power, \$1. Price reduced January 1, 1906, from \$1.75 gross, \$1.50 net. No public service.

Rates charged—Electric.—For commercial service: rates for metered arc and incandescent service, 10c. to 7c. per kw. h., discount, 5c.; rate for metered power service, 6c. to 2½c. per kw. h. For public service: arc street lighting, number of arc lamps enclosed, 287; New York city schedule, 4,000 hours per year; price per lamp per annum, \$66.

Remarks.—Operating expenses, gas, includes electric.

OTEGO.

(Population, 600.)

Otego Lighting Company; gasoline gas.

Financial data.—Capitalization: common stock issued, \$2,500; bonds outstanding, none; dividends, rate 3 per cent.; amount, \$75.

Operating data.—Gross earnings from operation, \$980; operating expenses, \$936.57. Daily capacity, 400 lights. Length of main (n. r.).

Rates charged.—For commercial service, lighting, \$2 per thousand and cubic feet.

OTTO.

(Population, 950.)

Otto Electric Light Company, partnership; supplies electricity; motive power, water. Construction and equipment, \$1,165. Number of consumers, 20.

Rates charged.—Commercial service lighting, flat rate; business, 1c. per lamp, per night; residence, from 1c. to ½c. per night; meter rate, 5c. per kw. h.

OVID.

(Population, 577.)

Ovid Electric Company; supplies electricity; also supplies Interlaken and Sheldrake.

Financial data.—Capitalization: common stock, \$10,000; bonds outstanding, \$10,000; interest, 5 per cent.; amount, \$500; dividends, none; balance sheet June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$6,385.72; operating expenses, \$6,403.14. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 6 kw.; connected load, commercial lights, 100 kw.; total, 106 kw. Meters, 1,080 amperes; service transformers, 96 kw. capacity. Electricity generated by steam power. Boiler, h. p., 160; engine, h. p., 160; generator capacity, 95 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 15c. per kw. h., discount 5 per cent. to 20 per cent. For public service in Ovid: number of arc lamps enclosed, 12; schedule, all dark hours; 3,000 hours per year. Price per lamp, per annum, \$80. Incandescent street lighting; number of incandescent street lamps, 23; c. p. 32; schedule, all dark hours; 3,000 hours per year; price per lamp per annum, \$22.

Remarks.—For further rates charged for public service, see Interlaken.

OWEGO.

(Population, 5,000.)

Owego Gas Light Co.; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$60,000; bonds outstanding, \$50,000; interest, rate, 5 per cent.; amount, \$2,500; dividends, none; balance sheet June 30, 1906. Assets: construction and equipment account, \$111,152.33; total assets, \$115,189.69. Liabilities: capital account, \$110,000; total (exclusive of profit and loss account), \$115,007.92. Profit and loss, surplus, \$181.77. Capitalization per mile of main, \$31,947. Construction account per mile of main, \$32,691.

Operating data.—Gross earnings from operation, \$12,598.87; operating expenses, \$7,663.30; gas produced, 8,842,000 cubic feet; gas sold, 7,116,900 cubic feet; gas used by company, 100,100 cubic feet; gas unaccounted for, 1,626,300 cubic feet; percentage

of gas unaccounted for 18.4; number of meters in service, 574. Miles of main (n. r.). Gas sold per capita, 1,400 cubic feet; gas sold per consumer, 12,400 cubic feet; gas sold per mile of main, 2,033,400 cubic feet. Number of consumers per mile of main, 165. Residuals: coke, 663 net tons; tar, 12,894 gallons.

Rates charged.—For commercial service: lighting, \$1.80; fuel, \$1.80. Discount 20c., 30c., and 40c. per thousand cubic feet, according to quantity used.

The Owego Light and Power Company; supplies electricity; also supplies town of Owego.

Financial data.—Capitalization: common stock, \$60,000; bonds outstanding, \$25,000; interest, 4, 5 and 6 per cent.; amount \$1,748.75; dividends, rate, 3 per cent.; amount, \$1,800; balance sheet June 30, 1906. Assets: construction and equipment account, \$97,000; total assets, \$110,023.46. Liabilities: capital account, \$85,000; total (exclusive of profit and loss), \$105,651.91.

Operating data.—Gross earnings from operation, \$12,841.91; operating expenses, \$9,645.79. Total amount of electricity generated (n. r.); amount sold, 289,500 kw. h., estimated; amount unaccounted for (n. r.).—Connected load, street lights, 32.5 kw.; connected load, commercial lights, 18.75 kw.; power, 38 kw.; total, 89.25 kw. Meters, 1,520 amperes; service transformers, 123.5 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 300; engine, h. p., 185; water wheel, h. p., 215; generator capacity, 180 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 60c. per month per 16 c. p. l., figured to net from 5c. to 12c. per kw. h., according to service. Rates for metered incandescent service: rates figured from 15c. to 5c. per kw. h., according to service and amount of current used; minimum, 25c. per month. For public service: arc street lighting, number of arc lamps, enclosed, 77; c. p., 1,500; schedule all night; price per lamp per annum, \$68.28; incandescent street lighting, number of incandescent street lamps, 5; c. p., 50; schedule all night; price per lamp, per annum, \$18.

OXFORD.

(Population, 1,865.)

The Oxford Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$10,000; bonds outstanding, \$8,000; interest, 5 per cent.; amount, \$274.17;

dividends, rate, 5 per cent.; amount, \$500; balance sheet June 30, 1906. Assets: construction and equipment account, \$17,928.80; total assets, \$18,364.01. Liabilities: capital account, \$14,000; total (exclusive of profit and loss account), \$14,206.76. Profit and loss surplus, \$4,157.25.

Operating data.—Gross earnings from operation, \$5,004.90; operating expenses, \$3,207.20. Total amount of electricity sold: from D. C. series arc generators, 19,159.92 kw. h.; from A. C. generators (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 12 kw. Connected load, commercial lights, 66 kw.; total, 78 kw. Meters, 1,050 amperes; service transformers, 91.75 kw. capacity. Electricity generated by steam power. Boiler, h. p., 90; engine, h. p., 85; generator capacity, 105 kw.

Rates charged.—For commercial service, flat rates: arc service, \$50 per lamp per year; incandescent service, 50c per month per 16 c. p. l. Rates for metered incandescent service, 15c. per kw. h., if paid on or before the 10th of the month; a reduced rate is charged commencing April 1st, first 500 kw. h., 12c.; 500 to 700 kw. h., 10c.; all over 700 kw. h., 7½c., minimum \$1 per month. For public service: arc street lighting, number of arc lamps, open, 30; enclosed, 4; c. p. 1,200; schedule, moonlight, 1,602 hours per year; price per lamp per annum, \$50.

Commercial Gas Light Co.; gasolene gas.

Financial data.—Capitalization: common stock issued, \$2,000; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation, \$666.86; operating expenses, \$574.91. Daily capacity, 1,000 lights. Length of main, 5,632 feet.

Rates charged.—For commercial service: lighting and fuel, \$2 for less than 7,000 cubic feet, per year; 7,000 to 14,000 cubic feet, \$1.80; 14,000 to 20,000, \$1.60; over 20,000, \$1.50.

OYSTER BAY.

Oyster Bay Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$35,000; bonds outstanding, \$11,500; interest, 6 per cent. on \$8,000; 5 per cent. on balance; amount, \$655; dividends, none; balance sheet June 30, 1906. Assets: construction and equipment ac-

count, \$43,905.21; total assets, \$49,916.38. Liabilities: capital account, \$46,500; total (exclusive of profit and loss account), \$49,441.10. Profit and loss surplus, \$475.28.

Operating data.—Gross earnings from operation, \$12,514; operating expenses, \$10,916. Total amount of electricity generated, 204,000 kw. h., approximately. Connected load, street lights, 31 kw.; connected load, commercial lights, 130 kw.; power, 3 kw.; total, 164 kw. Meters, 1,750 amperes; service transformers, 196.75 kw. capacity. Electricity generated by steam power. Boiler, h. p., 350; engine, h. p., 250; generator capacity, 175 kw.

Rates charged.—For commercial service, flat rates: incandescent service, no standard rate, 15c. to 60c. per lamp per month. Rates for metered arc and incandescent service, 10c. per kw. h.; no free incandescent lamp renewals; rates for metered power service, 8c. per kw. h. For public service: incandescent street lighting, number of incandescent street lamps, 250; c. p., 20; schedule, sunset to sunrise; 4,000 hours per year; price per lamp per annum, \$20.

School District No. 5.

Glen Cove Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$15,000; bonds, none; dividends, rate 10 per cent.; amount, \$15,000; balance sheet June 30, 1906. Assets: construction and equipment account, \$15,552.48; total assets, \$24,218.81. Liabilities: capital account, \$15,000; total (exclusive of profit and loss account), \$17,875.14. Profit and loss surplus, \$6,343.67.

Operating data.—Gross earnings from operation, \$7,755.24; operating expenses, \$3,572.32. Total amount of electricity generated (n. r.); amount sold, 79,387 kw. h.; amount unaccounted for, none; (purchase of current being based on sales). Connected load, commercial lights, 207 kw.; power, 32 kw.; total, 239 kw. Meters, 1,445 amperes; service transformers, 120.6 kw. capacity. Current purchased.

Rates charged.—For commercial service, flat rates: incandescent service; varying contract rates based on estimated consumption at meter rate. Rates for metered arc and incandescent service, 10c. per kw. h.; rates for metered power service, 8c. per kw. h.

Nassau Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Roslyn.

PALATINE.

(Population, 318.)

Montgomery Electric Light and Power Company; supplies electricity.

Rates charged.—For public service: arc street lighting, number of arc lamps enclosed, 10; c. p., 2,000; schedule, all night, every night, 3,980 hours per year; price per lamp per annum, \$17.

Remarks.—For financial and operating data and rates charged for commercial service, see Canajoharie.

PALATINE (Town).

Montgomery Electric Light and Power Company.

Remarks.—For rates charged for public service: arc street lighting, see towns of Canajoharie and Palatine; for rates charged for commercial service, see Canajoharie.

PALMYRA.

(Population, 2,100.)

Palmyra Gas and Electric Co.; supplies coal gas and electricity.

Financial data.—Capitalization: common stock issued, \$25,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$24,377.94; electric, \$29,524.86; total assets, \$56,858.21. Liabilities: capital account, \$25,000; total (exclusive of profit and loss account), \$56,826.07. Profit and loss, surplus, \$32.14. Capitalization per mile of main, \$10,417; construction account per mile of main, \$10,111.

Operating data — Gas.—Gross earnings from operation, \$6,018.86; operating expenses, \$4,336.65. Gas produced, 4,089,400 cubic feet; gas sold, 3,014,100 cubic feet; gas used by company, 53,000 cubic feet; gas unaccounted for, 1,021,300 cubic feet; percentage of gas unaccounted for, 25. Number of meters in service, 249. Miles of main, 2 miles, 2,440 feet. Gas sold per capita, 1,400 cubic feet; gas sold per consumer, 12,400 cubic feet; gas sold per mile of main, 1,205,600 cubic feet; number of consumers per mile of main, 104; residuals; coke, 384 net tons; tar, 7,476 gallons.

Operating data — Electric.—Gross earnings from operation, \$4,409.48; operating expenses, \$4,494.13. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unac-

counted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters, 725 amperes; service transformers, 95 kw. capacity. Electricity generated by steam power. Boiler, h. p., 125; engine, h. p., 350; generator capacity, 205.75 kw.

Rates charged — Gas.— For commercial service: lighting, \$2 gross, for lighting and fuel; discounts, 10c. to 30c. No public service.

Rates charged — Electric. For commercial service, flat rates: incandescent service, 50c. per month per 16 c. p. l. Rates for metered arc and incandescent service, residences, 15c. per kw. h.; business places, 12c. per kw. h. For public service, arc street lighting: number of arc lamps enclosed, 32; c. p., 2,000; schedule, dark to 1 A. M.; price per lamp per annum, \$62.50.

PARISH.

(Population, 515.)

The Parish Lighting Company; supplies acetylene gas.

Financial data.— Capitalization: common stock, \$1,500; bonds none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,531.09; total assets, \$2,269.09. Liabilities: capital account, \$2,000; total (exclusive of profit and loss account), \$2,258.72. Profit and loss surplus, \$10.57. Capitalization per mile of main, \$2,027; construction account per mile of main, \$2,144.

Operating data.— Gross earnings from operation, \$550.46; operating expenses, \$531.50.* Gas produced, 47,850 cubic feet; gas sold, 43,805 cubic feet; gas used by company (n. r.); gas unaccounted for, 3,895 cubic feet; percentage of gas unaccounted for, 12.25 per cent. Number of meters in service, 36. Mains, 3,400 feet. Gas sold per capita, 87 cubic feet; gas sold per consumer, 1,288 cubic feet; gas sold per mile of main, 59,195 cubic feet; number of consumers per mile of main, 46.

Rates charged.— For commercial service: lighting and fuel, \$12.50. No public service.

PATCHOGUE.

(Population, 5,260.)

Patchogue Gas Co.; kind of gas, water.

Financial data.— Capitalization: common stock issued, \$150,000; bonds outstanding, \$150,000; interest, rate, 5 per cent.;

* Operations commenced September 16, 1905.

amount (n. r.); dividends, none; balance sheet, June 30, 1906 (n. r.). Capitalization per mile of main, \$7,000; construction account per mile of main (n. r.).

Operating data.—Gross earnings from operation, \$7,371.70; operating expenses (not kept separate from construction account). Gas produced (n. r.); gas sold, 4,914,200 cubic feet; gas used by company, etc. (n. r.). Number of meters in service, 237. Miles of main, 4 miles, 3,555 feet. Gas sold per capita, 934 cubic feet; gas sold per consumer, 19,121 cubic feet; gas sold per mile of main, 1,146,647 cubic feet; number of consumers per mile of main, 56.

Rates charged.—For commercial service: lighting, \$1.50; fuel, \$1.50; discounts of from 10 to 35 per cent. for varying amounts used; for public service, street lighting: number of lamps supplied, 5; number of hours lighted during year, 4,000; price per lamp per year, free.

The Patchogue Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$40,000; bonds, none; dividends, rate, 8 per cent.; amount, \$3,200; balance sheet, June 30, 1906. Assets: construction and equipment account, \$39,000; total assets, \$41,725.61. Liabilities: capital account, \$40,000; total (exclusive of profit and loss account), \$40,843.28. Profit and loss surplus, \$882.33.

Operating data.—Gross earnings from operation, \$11,449.76; operating expenses, \$7,579.55. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights, 175 kw. Meters, 480 amperes; service transformers, 70 kw. capacity. Electricity generated by steam power. Boiler, h. p., 205; engine, h. p., 150; generator capacity, 110 kw.

Rates charged.—For commercial service, flat rates: incandescent service, \$1 to 50c. per month per lamp. Rates for metered arc and incandescent service, 20c. per kw. h.; discount, 25 per cent. on bills over \$5. For public service, incandescent street lighting: number of incandescent street lights, 130; c. p. 16; schedule, all night; price per lamp per month, \$1.25.

PEEKSKILL.

(Population, 13,200.)

Peekskill Lighting and Railroad Co.; supplies water gas and electricity in the village of Peekskill and electricity in town of Cortlandt; total population, 13,200.

Financial data.—Capitalization: common stock issued, \$500,000; preferred stock issued, \$150,000; bonds outstanding, \$575,000; interest, rate, 5 per cent.; amount, \$28,750; dividends, rate, 6 per cent.; amount, \$6,920.04; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$324,321.73; electric, \$395,000; total assets, \$1,316,489.19. Liabilities: capital account, \$1,225,000; total (exclusive of profit and loss account), \$1,245,045.77. Profit and loss, surplus, \$71,243.42. Capitalization per mile of main (n. r.); construction account per mile of main, \$20,789.

Operating data — Gas.—Gross earnings from operation, \$34,961.49; operating expenses, \$18,022.47. Gas produced, 27,125,600 cubic feet; gas sold, 23,587,100 cubic feet; gas used by company, 687,000 cubic feet; gas unaccounted for, 2,893,100 cubic feet; percentage of gas unaccounted for, 10.63. Number of meters in service, 1,169. Miles of main, 15 miles, 2,559 feet. Gas sold per capita, 1,787 cubic feet; gas sold per consumer, 20,167 cubic feet; gas sold per mile of main, 1,504,855 cubic feet; number of consumers per mile of main, 74.

Operating data — Electric.—Gross earnings from operation, \$41,777.53; operating expenses, \$16,383.59. Total amount of electricity generated, 1,154,026 kw. h.; amount sold, 1,002,461 kw. h.; amount unaccounted for, 151,564 kw. h.; equals 13 per cent. Connected load, street lights, 23 kw.; commercial lights, 424.6 kw.; power, 193.6 kw.; total, 641.2 kw. Meters, 4,260 amperes; service transformers, 420 kw. capacity. Electricity generated by steam power. Boiler, h. p., 600; engine, h. p., 1,160; generator capacity, 780 kw.

Rates charged — Gas.—For commercial service: lighting and fuel, \$1.60; discount, 10c. to 35c. according to quantity; price since reduced to \$1.50 net, with discounts, 10c. to 25c. No public lighting.

Rates charged — Electric.—For commercial service: rates for metered arc and incandescent service, 20c. to 9c. per kw. h.; minimum, \$1 per month; rate for metered power service, 10c. per kw. h.; discounts, 10 per cent. to 60 per cent. on bills of over \$3.37 per

month; minimum, \$1 per h. p. per month. For public service, arc street lighting: number of arc lamps enclosed, 47; c. p., 1,200; schedule, all night, 4,000 hours per year; price per lamp per annum, \$86; incandescent street lighting: number of incandescent street lamps, 316; c. p., 16; schedule, moonlight, 2,700 hours per year; price per lamp per annum, \$15.10.

PELHAM.

(Population, 2,900.)

Westchester Lighting Company; supplies water gas.

Remarks.—For financial and operating data and rates charged for gas service, see Mount Vernon.

PENN YAN.

(Population, 4,504.)

Penn Yan Gas Light Co.; kind of gas, coal.

Financial data.—Capitalization: common stock issued, \$24,750; bonds outstanding, \$50,000; interest, rate, 5 per cent.; amount, \$2,500; dividends, none; balance sheet, June 30, 1906. **Assets:** construction and equipment account, \$74,116.59; total assets, \$86,253.62. **Liabilities:** capital account, \$74,750; total (exclusive of profit and loss account) \$83,699.52. **Profit and loss,** surplus, \$2,554.10. Capitalization per mile of main, \$17,893; construction account per mile of main, \$17,646.

Operating data.—Gross earnings from operation, \$12,603.59; operating expenses, \$9,086.95. Gas produced, 9,112,000 cubic feet; gas sold, 9,057,300 cubic feet; gas used by company, 62,000 cubic feet; gas unaccounted for, 820,400 cubic feet; percentage of gas unaccounted for, 8.9. Number of meters in service (n. r.). Miles of main (n. r.). Gas sold per capita, 1,660 cubic feet; gas sold per consumer, 15,300 cubic feet; gas sold per mile of main, 1,840,000 cubic feet; number of consumers per mile of main, 120.

Rates charged.—For commercial service: lighting, \$1.80 gross; \$1.50 net; fuel, \$1.40; discounts of 20c., 30c. and 40c. per thousand cubic feet according to quantity used.

Yates Electric Light Company; supplies electricity.

(No report has been received from this company.)

Supplied by municipal electric plant. Service furnished (n. r.).

(No report has been received from this plant since it commenced operations in 1905.)

Financial data.—Bonds authorized, \$35,000; bonds issued, \$35,000. Construction and equipment, \$38,500.

PERRY.

(Population, 3,749.)

The Perry Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$9,000; bonds outstanding, 20,000; interest, 5 per cent.; amount, \$730; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$44,375.19; total assets, \$50,122.12. Liabilities: capital account, \$23,900, total (exclusive of profit and loss account), \$30,422.07. Profit and loss surplus, \$19,700.05.

Operating data.—Gross earnings from operation, \$12,128.06; operating expenses, \$9,229.42. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.). Meters, 1,450 amperes; service transformers, 115 kw. capacity. Electricity generated by steam power. Boiler, h. p., 160; engine, h. p., 290; generator capacity, 227 kw.

Rates charged.—For commercial service, flat rates: incandescent service, first 5 lamps \$25 per year; all others \$2 each; rates for metered arc and incandescent service, 15c. to 6 $\frac{1}{2}$ c. per kw. h. For public service: number of arc lamps open, 34; enclosed, 16; c. p. 1,200; schedule, 22 nights per month, and all dark nights to 1 A. M.; price per lamp per annum \$52.

PERU.

(Population, 500.)

Keeseville Electric Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 11; c. p., 32; schedule, moonlight, 2,750 hours per year; price per lamp per annum, \$15.

Remarks.—For financial and operating data and rates charged for commercial service, see Keeseville.

PHELPS.

(Population, 1,376.)

Individual plant. Names of owners, Frank H., William A. and Paul Howe; supplies electricity; motive power, steam and water.

Financial data.—Construction and equipment, \$16,700.

Operating data.—Number of consumers, 85.

Rates charged.—Commercial service, lighting: flat rate, 60c. per month per 16 c. p. l.; meter rate, 12c. and 10c. per kw. h. Public service, arc lighting, \$55 per lamp per year.

PHILADELPHIA.

(Population, 856.)

Supplied by municipal electric plant. Service furnished, public and commercial. Date of beginning operation, 1904.

Financial data.—Total assessed valuation of real estate in village (n. r.); bonds authorized, \$12,000; issued, \$12,000; interest, rate, $4\frac{1}{4}$ per cent. Appropriation since June 30, 1905, for street lighting (n. r.). Construction and equipment (n. r.).

Operating data.—Gross earnings from operation, \$2,819.31; operating expenses, \$2,593.37; deficit, \$1,225.12. Total kw. h. sold (n. r.); number of consumers (n. r.).

Rates charged.—For commercial service, lighting, flat rate: residences, \$1 to \$2 per light per year; stores, \$2.50 to \$3 per light per year; meter rates, 10c. per kw. h.

PHOENICIA.

(Population, 450.)

Individual Plant. Name of owner, James Walton; supplies acetylene gas.

Financial data.—Construction and equipment, \$3,991.

Operating data.—Number of cubic feet sold, 59,180.

Rates charged.—commercial service: lighting and fuel, \$15 per thousand cubic feet. Public service, street lights: price per lamp, \$15.20 per year.

PHOENIX.

(Population, 1,524.)

Seneca River Power Company; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lamps, enclosed, 30; leased, no contract.

Remarks.—For financial and operating data and rates charged for commercial service, see Baldwinsville.

Phoenix Fuel, Light and Water Company; supplies natural gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$100,000; bonds, none; dividends, none.

Operating data.— Gas sold, 1,250,000,000 cubic feet.

Rates charged.— For commercial service: lighting and fuel, 50c.

PLATTSBURGH.

(Population, 10,184.)

Plattsburgh Light, Heat and Power Company; supplies mixed coal and water gas and electricity in city of Plattsburgh, and electricity in part of town of Plattsburgh.

Financial data.— Capitalization: common stock issued, \$125,000; preferred stock issued, \$100,000; bonds outstanding, \$125,000; interest, rate, 5 per cent.; amount, \$6,250; dividends, rate, 6 per cent.; amount, \$5,492.34; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$135,865.88; electric, \$255,567.80; total assets, \$410,259.60. Liabilities, capital account, \$350,000; total (exclusive of profit and loss account), \$408,413.88. Profit and loss, surplus, \$1,945.72. Capitalization per mile of main (n. r.); construction account per mile of main, \$15,984.

Operating data — Gas.— Gross earnings from operation, \$26,812.37; operating expenses, \$17,795.95. Gas produced, 22,204,500 cubic feet; gas sold (n. r.); gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.). Number of meters in service, 796. Miles of main, 8 miles, 2,675 feet. Gas sold per capita, 2,180 cubic feet; gas sold per consumer, 26,626 cubic feet; gas sold per mile of main, 2,612,200 cubic feet; number of consumers per mile of main, 71.

Operating data — Electric.— Gross earnings from operation, \$37,008.45; operating expenses, \$23,149.71. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters, 6,953 amperes; service transformers, 612.5 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 400; engine, h. p., 400; Water wheels, h. p., 549; generator capacity, 1,166.8 kw.

Rates charged — Gas.— For commercial service: lighting, \$1.90 gross; \$1.80 net; fuel, \$1.50 gross; \$1.40 net. No public service.

Rates charged — Electric.— For commercial service: rates for metered arc and incandescent service, 13c. to 6c. per kw. h.; discount, 1c. up to and including 200 kw. h. per month consumed; rates for metered power service, 10c. to 2c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 81;

schedule, all night; 4,000 hours per year; price per lamp per annum, \$21; incandescent street lighting: number of incandescent street lights, 2; c. p., 25; schedule, all night; 4,000 hours per year; price per lamp per annum, \$25.

Remarks.—Gross earnings from operation include earnings of Lozier Light and Power Company.

Amount of interest on bonds. Interest on bonds of Lozier Light and Power Company, \$4,791.66, also paid. For report of reduction in price of gas June 1, 1906, see complaint of the mayor of Plattsburgh against this company, page — of this report.

Lozier Light and Power Company; supplies electricity; also supplies town of Plattsburgh.

Financial data.—Capitalization: common stock, \$100,000; bonded indebtedness, \$100,000; interest, 5 per cent.; amount (see Plattsburgh Light, Heat and Power Company); dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$218,413.49; total assets, \$218,475.40. Liabilities: capital account, \$200,000; total, \$218,552.52; profit and loss, deficiency, \$77.12.

Operating data.—Gross earnings from operation, \$5,941.01; total income paid to Plattsburgh Light, Heat and Power Company for account of operation and payment of fixed charges. Total amount of electricity generated (n. r.); operated by Plattsburgh Light, Heat and Power Company. Electricity generated by water power. Water wheel, h. p., 1,248; generator capacity, 800 kw.

Rates charged.—For commercial and public service, see Plattsburgh Light, Heat and Power Company, the operating company.

PLEASANTVILLE.

(Population, 1,585.)

Northern Westchester Lighting Company; supplies electricity;

Rates charged — Electric.—For public service, incandescent street lighting: number of incandescent street lamps, 113; c. p., 25; schedule, all night; 4,000 hours per year; price per lamp per annum, \$23.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Ossining.

PIERMONT.

(Population, 1,193.)

Rockland Light and Power Company; supplies electricity.

Rates charged.— For public service, incandescent street lighting: number of incandescent street lamps, 92; c. p., 25; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$19.

Remarks.— For financial and operating data and rates charged for commercial service, see Nyack.

PITTSFORD.

(Population, 1,056.)

Pittsford Light and Heat Company; acetylene gas.

Financial data.— Capitalization: common stock issued, \$9,000; bonds outstanding, none; dividends, none.

Operating data.— Gross earnings from operation, \$1,040; operating expenses, \$908.96. Daily capacity, 1,400 lights. Length of main, 4,080 feet.

Rates charged.— For commercial service: lighting, \$12.50 and \$10 per thousand cubic feet.

PORT BYRON.

(Population, 1,100.)

Individual plant. names of owners, Richard Warren and Frank H. Lowe; supplies acetylene gas.

Financial data.— Construction and equipment (n. r.).

Operating data.— Number of feet sold (n. r.).

Rates charged.— (n. r.).

PORT CHESTER.

(Population, 11,198.)

Westchester Lighting Company; supplies water gas and electricity.

Rates charged — Gas.— For commercial service: lighting, \$1.55 gross; \$1.45 net; fuel, \$1.25.

Rates charged — Electric.— For commercial service: rates for metered arc and incandescent service, 20c. per kw. h.; discounts, 10 per cent. to 40 per cent.; minimum, \$1 per month; rate for metered power service, 10c. per kw. h.; discounts, 10 per cent. to 60 per cent. For public service, arc street lighting: num-

ber of arc lamps, enclosed, 69; c. p., 1,200; New York city schedule; 3,950 hours per year; price per lamp per annum, \$95; incandescent street lighting: number of incandescent street lamps, 28; c. p., 25; New York city schedule; 3,950 hours per year; price per lamp per annum, \$22.

Remarks.—For financial and operating data, see Mount Vernon.

PORT DICKINSON.

(Population, 426.)

Binghamton Light, Heat and Power Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent lamps, 30, rated as 105 watts; schedule, sundown to 11 p. m.; 1,800 hours per year; price per lamp per year, \$17.50.

Remarks.—For financial and operating data and rates charged for commercial lighting, see Binghamton.

PORT HENRY.

(Population, 2,073.)

The Port Henry Gas Company; kind of gas, oil.

Financial data.—Capitalization: common stock issued, \$6,800; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$10,918.75; total assets, \$14,193.75. Liabilities: capital account, \$6,800; total liabilities, \$14,363.72; profit and loss, deficit, \$169.97. Capitalization per mile of main, \$4,300; construction account per mile of main, \$6,824.

Operating data.—Gross earnings from operation, \$4,230.09; operating expenses, \$4,400.06. Gas produced, 1,800,000 cubic feet; gas sold, 1,648,375 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.). Number of meters in service, 85. Miles of main, 1 mile, 3,220 feet. Gas sold per capita, 795 cubic feet; gas sold per consumer, 19,392 cubic feet; gas sold per mile of main, 1,030,235 cubic feet; number of consumers per mile of main, 53.

Rates charged.—For commercial service: lighting, \$2.25. For public service, street lighting: number of lamps, 30; number of hours lighted during year, 20 days each month till midnight; price per lamp per year, \$17.40.

PORT JEFFERSON.

(Population, 2,500.)

Port Jefferson Electric Light Company; supplies electricity; also supplies Echo, East Setauket, Setauket and Stony Brook.

Financial data.— Capitalization: common stock, \$7,500; bonds, none; dividends, 6 per cent.; amount, \$450; balance sheet, June 30, 1906. Assets: construction and equipment account, \$18,844.88; total assets, \$20,872.67. Liabilities: capital account, \$7,500; total (exclusive of profit and loss account), \$12,165.60. Profit and loss, surplus, \$8,707.07.

Operating data.— Gross earnings from operation, \$5,754.71; operating expenses, \$4,671.82. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: commercial lights, 55 to 60 kw. Meters, 300 amperes; service transformers, 59.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 180; engine, h. p., 180; generator capacity, 125 kw.

Rates charged.— For commercial service, flat rates: incandescent service, \$1 to 50c. per 16 c. p. l.; average, 60c. per month. Rates for metered arc and incandescent service: 20c. per kw. h., discount, 25 per cent. on bills exceeding \$15 per month. For public service: incandescent street lighting, number of incandescent street lights, 100; c. p., 8 to 16; schedule, sundown to midnight, every night; price per lamp per month, 50c. to \$1. (Paid for by private subscription).

PORT JERVIS.

(Population, 9,600.)

Port Jervis Electric Light, Power, Gas and Railroad Company; supplies water gas and electricity.

Financial data.— Capitalization: common stock issued, \$300,000; bonds outstanding, \$190,000; interest, rate 5 per cent.; amount, \$8,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$252,292.67; electric, \$252,292.67; total assets, \$525,789.99. Liabilities: capital account, \$490,000; total, \$533,218.38. Profit and loss, deficit, \$7,528.14. Capitalization per mile of main (n. r.); construction account per mile of main, \$35,033.

Operating data — Gas.— Gross earnings from operation, \$16,237.32; operating expenses, \$12,978.09. Gas produced, 13,475,000 cubic feet; gas sold, 10,712,000 cubic feet; gas used by com-

pany, 48,000 cubic feet; gas unaccounted for, 1,405,300 cubic feet; percentage of gas unaccounted for, 13. Number of meters in service, 552. Miles of main, 7 miles, 1,021 feet; gas sold per capita, 1,120 cubic feet; gas sold per consumer (n. r.); gas sold per mile of main (n. r.); number of consumers per mile of main, 91.

Operating data — Electric.—Gross earnings from operation, \$29,810.79; operating expenses, \$17,151.05. Total amount of electricity generated, 925,607 kw. h.; amount sold, 650,000 kw. h.; amount unaccounted for, 275,607 kw. h.; equals 30 per cent. Connected load: street lights, 65 kw.; commercial lights, 220 kw.; power, 252 kw.; total, 537 kw. Meters, 2,475 amperes; service transformers, 375.95 kw. capacity. Electricity generated by steam power. Boiler, h. p., 440; engine, h. p., 350; generator capacity, 235 kw.

Rates charged — Gas.—For commercial service: lighting, \$2 gross for consumption not exceeding 3,000 cubic feet; \$1.75 for 3,000 to 6,000 cubic feet; \$1.50 above 6,000 cubic feet; fuel, \$1.50; power, \$1 to 90c. Public lighting: 1 Welsbach light, 4,000 hours per year, price per annum, \$40.

Rates charged — Electric.—For commercial service, flat rates: incandescent service, 50c. per lamp per month; rates for metered arc and incandescent service, 14c. per kw. h.; discount, 10 per cent. to 40 per cent. For public service, arc street lighting: number of arc lamps, enclosed, 131; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$74.77; incandescent street lighting: number of incandescent street lamps, 11; c. p., 25; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$18.

Remarks.—Stock issued, \$150,000 for railroad purposes.

Bonds outstanding.—\$101,000 authorized, \$95,000 issued and apportioned to Railroad Department.

PORT WASHINGTON.

Nassau Light and Power Company; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lamps, enclosed, 12; c. p., 2,000; schedule, all night; 4,000 hours per year; price per lamp per annum, \$80. Incandescent street lighting: number of incandescent street lamps, 204; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$20.

Remarks.— For financial and operating data and rates charged for public service, see Roslyn.

PORTVILLE.

(Population, 774.)

Producers' Gas Company; supplies natural gas.

Remarks.— For financial and operating data and rates charged, see Olean.

POTSDAM.

(Population, 4,162.)

The Potsdam Electric Light and Power Company; supplies electricity.

Financial data.— Capitalization: common stock, \$22,000; bonds outstanding, \$6,825; interest, 5 per cent.; amount, \$341.25; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$35,305.68; total assets, \$56,358.16. Liabilities: capital account, \$28,825; total (exclusive of profit and loss account), \$36,090.18. Profit and loss, surplus, \$20,267.98.

Operating data.— Gross earnings from operation, \$15,742.94; operating expenses, \$9,576.39. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, none; service transformers, 534.5 kw. capacity. Current purchased.

Rates charged.— For commercial service (n. r.). For public service, arc street lighting: number of arc lamps, open, 56, enclosed, 3; schedule, moonlight, from sunset to 1 A. M.; price per lamp per year, \$50.

Northern Power Company; plant at Hannawah Falls to supply Ogdensburg Power and Light Company with current in bulk. Office, Potsdam.

Remarks.— See Hannawah Falls.

POUGHKEEPSIE.

(Population, 25,379.)

Poughkeepsie Light, Heat and Power Company; supplies water, gas and electricity, in the city of Poughkeepsie, and electricity in towns of Poughkeepsie, Hyde Park and Lloyd. Total population, 36,431.

Financial data.—Capitalization: common stock issued, \$500,000; bonds outstanding, \$500,000; interest, rate, 5 per cent; amount, \$25,000; dividends; rate, 3.5 per cent.; amount, \$17,500; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$583,152.17; electric, \$593,112.18; total assets, \$1,234,473.04. Liabilities: capital account, \$1,000,000; total (exclusive of profit and loss account), \$1,168,252.22. Profit and loss, surplus, \$66,220.82. Capitalization per mile of main (n. r.); construction account per mile of main, \$20,228.

Operating data—Gas.—Gross earnings from operation, \$92,850.42; operating expenses, \$66,239.33; gas produced, 81,771,000 cubic feet; gas sold, 73,784,000 cubic feet; gas used by company, 576,000 cubic feet; gas unaccounted for, 6,168,000 cubic feet; percentage of gas unaccounted for, 7.6. Number of meters in service, 2,884. Miles of main, 28 miles, 4,036 feet; gas sold per capita, 2,960 cubic feet; gas sold per consumer, 20,396 cubic feet; gas sold per mile of main, 2,732,000 cubic feet. Number of consumers per mile of main, 128.

Operating data—Electric.—Gross earnings from operation, \$110,520.82; operating expenses, \$69,436.54; total amount of electricity generated, 2,092,368 kw. h.; amount sold, 1,860,075 kw. h.; amount unaccounted for, 232,293 kw. h., equal 16 per cent. Connected load, street lights, 160 kw.; commercial lights, 1,235 kw.; power, 552 kw.; total, 1,947 kw.; meters, 11,770 amperes; service transformers, 718.1 kw. capacity. Electricity generated by steam power. Boiler, h. p., 700; engine, h. p., 1,130; generator capacity, 1,400 kw.

Rates charged—Gas.—For commercial service: lighting and fuel, \$1.25 for first 3,000 cubic feet; \$1.15 for next 2,000 cubic feet; \$1.05 for all above 5,000 cubic feet, discount 5c. Previous to May 1st, rates were \$1.35 for first 5,000 cubic feet, \$1.25 for next 5,000 cubic feet, \$1.05 for all above 10,000 cubic feet, discount 5c. No public service.

Rates charged—Electric.—For commercial service: rates for metered arc and incandescent service, sliding scale, 15c. per kw. h., with discounts to 35 per cent. and minimum charge of \$1; also "readiness to serve," rates 12½c. per 16 c. p. l., installed, 6c. to 10c. per kw. h., for current, according to hours of use; rates for metered power service, sliding scale, 10c. per kw. h., with discounts to 50 per cent., minimum \$1 to \$1.50 per h. p., according to size of motor. For public service: arc street lighting, number of arc

lamps, open, 310; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$84.

POUGHKEEPSIE (Town).

(Population, 5,385.)

Poughkeepsie Light, Heat and Power Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Poughkeepsie.

PULASKI.

(Population, 1,575.)

Pulaski Electric Light Company; supplies electricity.

Financial data.— Capitalization: common stock, \$9,000; bonds, none; dividends, rate, 6 per cent.; amount, \$540; balance sheet, June 30, 1906 (n. r.).

Operating data.— Gross earnings from operation, \$3,251.36; operating expenses (n. r.). Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by water and steam power. Boiler, h. p., 65; engine, h. p., 70; water wheel, h. p., 85; generator capacity (n. r.).

Rates charged.— For commercial service: rates charged for metered arc and incandescent service, 8c. per kw. h. For public service: incandescent street lighting, number of incandescent street lamps, 120; schedule, 2 A. M.; price per lamp per annum, \$10.

The Pulaski Gas and Oil Company, Ltd.; supplies natural gas.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.— Capitalization: common stock, \$25,000; bonds, none; dividends, none.

Operating data.— Gas sold, 19,250,000 cubic feet.

Rates charged.— For commercial service (n. r.).

PURDYS.

(Population, 1,277.)

Individual plant; name of owner, George Juengst & Sons; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Croton Falls.

RAMAPO.

Rockland Electric Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Hillburn.

RAVENA (Lighting District).

(Population, 1,500.)

Upper Hudson Electric Company; supplies electricity.

Rates charged.— For public service: incandescent street lighting, number of incandescent street lamps, 65; c. p., 25; schedule, all night, except full moon; 3,000 hours per year; price per lamp per annum, \$21.25.

Remarks.— For financial and operating data and rates charged for commercial lighting, see Coxsackie.

RANDOLPH.

(Population, 1,200.)

Individual plant; name of owners, George and Joseph Woodmancy. Supplies electricity.

Motive power (n. r.); construction and equipment (n. r.). Number of consumers, 35.

Rates charged.— Commercial service, lighting, flat rate: 60c. per lamp per month; meter rate, 10c. per kw. h. Public service, are lighting, \$5 per lamp per month.

RED HOOK.

(Population, 1,572.)

Red Hook Light and Power Company; supplies electricity.

(No report has been received from this company.)

Financial data.— Capitalization: common stock. This company was incorporated February 13, 1906, and March 28, the Commission approved of the issue of \$12,000 capital stock. It was proposed to purchase the plant and franchises of John H. Sharpe in Red Hook.

Operating data.— Electricity generated by water power,

RENSSELAER.

(Population, 10,715.)

Albany and Hudson Railroad Company; supplies coal gas and electricity in Rensselaer and Hudson and electricity in East Greenbush, Nassau, North Chatham, Niverville, Valatie, Kinderhook and Stuyvesant Falls; total population, 26,200.

Financial data.—Capitalization: common stock issued, \$750,000; preferred issued, \$1,000,000; bonds outstanding, \$1,750,000; interest, rate, 4 and 5 per cent.; amount, \$69,166.64; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$3,534,670.38; total assets, \$3,593,252.29. Liabilities: capital account, \$3,500,000; total (exclusive of profit and loss account), \$3,565,219.50. Profit and loss, surplus, \$28,032.79. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, \$32,801.67; operating expenses, \$17,488.43; general expenses, \$19,110.74. Gas produced, 22,346,100 cubic feet; gas sold, 18,712,200 cubic feet; gas used by company, 194,600 cubic feet; gas unaccounted for, 3,445,300 cubic feet; percentage of gas unaccounted for, 15.3. Number of meters in service, 1,665. Miles of main, 10 miles, 1,029 feet. Gas sold per capita, 854 cubic feet; gas sold per customer, 13,346 cubic feet; gas sold per mile of main, 1,871,220 cubic feet; number of consumers per mile of main, 137; residuals: coke, 1,225 net tons; tar, 24,669 gallons.

Operating data — Electric.—Gross earnings from operation, \$73,714.90; operating expenses, \$17,850.29; general expenses, gas and electric department, \$19,110.74. Total amount of electricity generated, 5,381,682 kw. h.; amount sold, 4,036,077 kw. h.; amount unaccounted for, 1,794,605 kw. h.; equal 30 per cent. Connected load, street lights, 64 kw.; commercial lights, 625 kw.; power, 536 kw.; total, 1,225 kw. Meter, 7,700 amperes; service transformers, 504 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 1,000; engine, h. p., 2,750; water wheels, h. p., 6,055; generator capacity, 3,000 kw.

Rates charged — Gas.—For commercial service: lighting, \$2; gross, \$1.80 net; for fuel gross, \$1.50; net, \$1.35. No public service.

Rates charged — Electric.—For commercial service, flat rates: incandescent service, \$1.25 to \$1 per month per 16 c. p. l. Rates

for metered arc and incandescent service, 15c. per kw. h.; discounts 5 per cent. to 33½ per cent., according to quantity; minimum charge \$1 per month; rates for metered power service, 10c. per kw. h., discounts according to quantity and character of service. For public service in Rensselaer: incandescent street lighting, number of incandescent street lamps, 406; c. p., 25; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$19.56.

Remarks.—For further rates charged for public service, see Hudson, Kinderhook, Valatie and North Chatham. Bonds outstanding include railroad bonds. Construction and equipment item includes cost of railroad property.

RHINEBECK.

(Population, 1,590.)

The Dutchess Light, Heat and Power Company of Rhinebeck, N. Y.; supplies electricity. System to supply Rhinecliff under construction.

Financial data.—Capitalization: common stock, \$38,450; bonds, none; dividends, rate, 2 per cent.; amount, \$769; balance sheet, June 30, 1906. Assets: construction and equipment account, \$25,523.41; total assets, \$39,956.69. Liabilities: capital account, \$38,450; total (exclusive of profit and loss account), \$38,474. Profit and loss surplus, \$1,482.69.

Operating data.—Gross earnings from operation, \$6,260.25; operating expenses, \$5,469.77. Total amount of electricity generated, 97,101 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights, 148 kw.; total, 148 kw. Meters, 955 amperes; service transformers, 88 kw. capacity. Electricity generated by steam power. Boiler, h. p., 300; engine, h. p., 85; generator capacity, 45 kw.

Rates charged. For commercial service, flat rates: incandescent service, \$1.25 per month (maximum 3 lights). Rates for metered arc and incandescent service, 10c. to 11c. per kw. h.; discount on metered incandescent service, 5 per cent.; minimum, \$1.25 per month. For public service, incandescent street lighting: number of incandescent lamps, 118; c. p., 30; schedule, all night, every night, dusk to dawn; 1,300 hours per year; price per lamp per annum, \$10.

RICHBURG.

(Population, 375.)

Empire Gas and Fuel Company, Ltd.; supplies natural gas.*Remarks.*—For financial and operating data and rates charged, see Wellsville.**John B. Burleson Gas Company;** name of owner, John B. Burleson; supplies natural gas.*Financial data.*—Construction and equipment (n. r.).*Operating data.*—Number of cubic feet sold (n. r.).*Rates charged.*—(n. r.).**Thomson & Hardman, Partnership;** supplies natural gas.*Financial data.*—Construction and equipment (n. r.).*Operating data.*—Number of cubic feet sold (n. r.).*Rates charged.*—(n. r.).**RICHFIELD SPRINGS.**

(Population, 1,684.)

The Richfield Springs Electric Light and Power Company; supplies electricity.*Financial data.*—Capitalization: common stock, \$20,000; bonds outstanding, \$4,500; interest, 6 per cent.; amount, \$285; dividends, 4 per cent.; amount, \$800; balance sheet, June 30, 1906 (n. r.).*Operating data.*—Gross earnings from operation, \$8,900; operating expenses, \$7,512.17. Total amount of electricity generated and sold, 100,745 kw. h.; amount unaccounted for (n. r.). Connected load, street lights, 20 kw.; connected load, commercial lights, 120 kw.; total, 140 kw. Meters (n. r.); service transformers, 910 kw. capacity. Electricity generated by steam power. Boiler, h. p., 225; engine, h. p., 200; generator capacity, 140 kw.*Rates charged.*—For commercial service: rates charged for metered incandescent service, 15c. per kw. h.; $\frac{3}{4}$ c. per amp. h. For public service: number of arc lamps, open, 30; enclosed, 9; c. p., 2,000; schedule, moonlight; 2,000 hours per year; price per lamp per annum, \$60.**RIVERDALE.****Westchester Lighting Company;** supplies water gas.*Remarks.*—For financial and operating data and rates charged for gas service, see Mount Vernon.

RIVERHEAD.

(Population, 2,000.)

Riverhead Electric Light Company; supplies electricity.

Financial data.— Capitalization: common stock, \$7,500; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$8,500; total assets, \$8,500. Liabilities: capital stock, \$7,500; total liabilities (exclusive of profit and loss account), \$8,400. Profit and loss, surplus, \$100.

Operating data.— Gross earnings from operation, \$3,332; operating expenses, \$3,697. Total amount of electricity generated (n. r.); amount sold, 26,666 kw. h. Connected load, commercial lights, 30 kw. Meters, 106 amperes; service transformers, 46.6 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 200; engine, h. p., 125; water wheel, h. p., 90; generator capacity (n. r.).

Rates charged.— For commercial service (n. r.). For public service, incandescent street lighting: number of incandescent street lamps, 80; c. p., 25; 2,372 hours per year; price per lamp per annum, \$12.50.

Individual plant; name of owner, Hallett Bros. Milling Company; supplies electricity, motive power, steam and water.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission, as of June 30, 1905.)

Financial data.— Construction and equipment, \$3,500.

Rates charged.— For commercial service, flat rates: incandescent service, 2½c. per night; rates for metered arc and incandescent service, 12½c. per kw. h. No public service.

ROCHESTER.

(Population, 181,666.)

Rochester Railway and Light Company; supplies mixed coal and water gas and electricity in city of Rochester, town of Brighton and township of Gates, and electricity in town of Irondequoit; total population, 191,694.

Financial data.— Capitalization: common stock issued, \$6,481,100; preferred stock issued, \$2,954,640; bonds outstanding, \$11,147,000; interest, rate, 4½, 5 and 6 per cent.; amount, \$542,090; dividends, rate 4 per cent.; amount, \$120,000; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, railroad and electric, \$15,604,923.71; total assets, \$23,073,594.59.

Liabilities: capital account, \$21,647,000; total (exclusive of profit and loss account), \$22,533,408.27. Profit and loss, surplus, \$540,186.32. Capitalization per mile of main (n. r.); construction account per mile of main, \$2,488.

Operating data — Gas.—Gross earnings from operation, \$754,978.66; operating expenses, \$411,888.96. Gas produced, 757,181,000 cubic feet; gas sold, 675,465,100 cubic feet; gas used by company, 1,947,500 cubic feet; gas unaccounted for, 68,422,300 cubic feet; percentage of gas unaccounted for, 9.1. Number of meters in service, 30,115. Miles of main, 256 miles, 1,970 feet. Gas sold per capita, 3,891 cubic feet; gas sold per consumer (n. r.); gas sold per mile of main, 2,656,028 cubic feet; number of consumers per mile of main, 117.

Operating data — Electric.—Gross earnings from operation, \$1,142,323.20; operating expenses, \$454,733.48. Total amount of electricity generated, 47,816,956 kw. h.; amount sold, 43,117,869 kw. h.; amount unaccounted for 4,699,087 kw. h., equals 25.86 per cent. Connected load, street lights, 2,915 kw.; commercial lights, 8,405 kw.; power, 8,667 kw.; total, 19,987 kw. Meters, 154,096 amperes; service transformers, 2,709.5 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 13,555; engine, h. p., 23,100; water wheels, h. p., 20,600; generator capacity, 24,135 kw.

Rates charged — Gas.—For commercial service: lighting and fuel, \$1.20 gross; \$1 net. For public service: number of lamps supplied, 119; 4,000 hours per year; price per lamp per night, 8c.

Rates charged — Electric.—For commercial service: rates for metered arc and incandescent service, 10c. per kw. h.; discount, 10 per cent., subject to the following minimum charges: less than 50, 16 c. p. l. or equivalent, \$1 per month, less 10 per cent.; from 50 to 100, 16 c. p. l. or equivalent lamps, \$2 per month; over 100, 16 c. p. l. or equivalent, \$3 per month, less 10 per cent.; minimum for enclosed arc lamps, \$1 per month. The company also makes a special guarantee rate for lighting of 9c. to \$0.0351 per kw. h., and for power customers having a connected load from 1 to 10 h. p.; also a special guarantee rate to power customers on installations of over 10 h. p. of 9c. to \$0.0306 per kw. h. For public service in Rochester: arc street lighting, number of arc lamps, open, 453; enclosed, 2,754; c. p., 2,000; schedule, one-half hour after sunset to one-half hour before sunrise; 4,000 hours per year; price per single lamp per night, 21½c.; for double lamps per night, 18½c.

24th ward, formerly town and village of Brighton.

Eastern Monroe Electric Light and Gas Company; supplies electricity.

Financial data.—Capitalization: common stock, \$250,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation (operations commenced January 1, 1906), \$1,031.25; operating expenses, \$1,139.25. Total amount of electricity generated (n. r.); amount sold, 1,205 kw. h. Total connected load (n. r.). Meters, 140 amperes; service transformers, 34.5 kw. capacity. Current purchased.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 12c. to 9c. per kw. h.; minimum, \$1 per kw. capacity-demand; discount, 5 per cent. No public service.

ROCKVILLE CENTRE.

(Population, 2,648.)

Nassau and Suffolk Lighting Company; kind of gas, water.

Remarks.—For financial and operating data and rates charged for commercial service, see Hempstead.

Supplied by municipal electric plant; service furnished, public and commercial.

(No report having been received from this plant the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Bonds authorized, \$24,020; issued, \$24,020; construction and equipment, \$32,000.

Operating Data.—Electricity generated by steam power.

Rates charged.—For commercial service: rates for metered incandescent service, 10c. per kw. h. For public service, incandescent street lighting: number of incandescent street lamps, 450; c. p., 16; schedule, all night, every night.

ROME.

(Population, 16,562.)

Rome Gas, Electric Light and Power Company; supplies coal gas and electricity.

Financial data.—Capitalization: common stock issued, \$400,000; bonds outstanding, \$390,000; interest, rate 5 per cent.; amount, \$17,920.84; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and elec-

tric, \$836,843.44; total assets, \$913,266.67. Liabilities: capital account, \$790,000; total (exclusive of profit and loss account), \$817,826.27. Profit and loss, surplus, \$95,440.40. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data—Gas.—Gross earnings from operation, \$53,408.84; operating expenses, \$32,634.02. Gas produced, 88,771,000 cubic feet; gas sold, 31,932,600 cubic feet; gas used by company, 276,800 cubic feet; gas unaccounted for, 6,561,600 cubic feet; percentage of gas unaccounted for, 20.3. Number of meters in service, 1,992. Miles of main, 16 miles, 4,707 feet. Gas sold per capita, 1,774 cubic feet; gas sold per consumer, 19,201 cubic feet; gas sold per mile of main, 1,889,864 cubic feet; number of consumers per mile of main, 99; residuals: coke, 2,009.87 net tons; tar, 49,796 gallons.

Operating data—Electric.—Gross earnings from operation, \$63,041.18; operating expenses, \$37,061.06. Total amount of electricity generated (n. r.); amount sold, 1,142,769 kw. h.; amount unaccounted for (n. r.). Connected load, street lights, 125 kw.; commercial lights, 150 kw.; total, 275. Meters, 6,264 amperes; service transformers, 644.1 kw. capacity. Electricity generated by steam power. Boiler, h. p., 606; engine, h. p., 660; generator capacity, 449 kw.

Rates charged—Gas.—For commercial service: lighting and fuel, \$1.50 gross; discounts, 30c. to 50c.; prior to April 1, 1906, the price was \$1.75 gross, \$1.50 net for lighting, and \$1.50 gross and \$1.20 net for fuel. No public service.

Rates charged—Electric.—For commercial service: rates for metered arc and incandescent service 15c. to 11c. per kw. h.; discount, 10 per cent.; minimum, \$1 per month. Rates for metered power service, \$0.0596c. to \$0.0125c. per h. p. hour; discount, 5 per cent. For public service, arc street lighting: number of arc lamps enclosed, 236; schedule, all night; 4,000 hours per year; price per lamp per annum, \$113.15.

ROSCOE.

(Population, 500.)

Livingston Manor Electric Company; supplies electricity.

Remarks.—For financial and operating data and price charged for commercial service, see Livingston Manor.

ROSLYN.

Nassau Light and Power Company; supplies electricity; also supplies Great Neck, Oyster Bay, Hempstead, Glen Cove, Westbury, East Williston, Hicksville, Mineola, Manhasset, Bayville, Port Washington, Sea Cliff, Locust Valley, Baldwins; estimated total population of territory, 40,000.

Financial data.—Capitalization: common stock, \$431,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,182,165.79; total assets, \$1,304,295.78. Liabilities: capital account, \$431,000; total, \$1,311,214.56. Profit and loss deficiency, \$6,918.78.

Operating data.—Gross earnings from operation, \$146,795.39; operating expenses, \$92,859.80. Total amount of electricity generated, 31,980,000 kw. h.; amount sold, 18,868,200 kw. h.; amount unaccounted for, 13,111,800 kw. h., equals 41 per cent. Connected load, street lights, 33 kw.; connected load, commercial lights, 2,940 kw.; power, 1,017 kw.; total, 3,990 kw. Meters, 28,070 amperes; service transformers, 1,895 kw. capacity. Electricity generated by steam power. Boiler, h. p., 2,340; engine, h. p., 3,600; generator capacity, 2,550 kw. .

Rates charged.—For commercial service, flat rates: incandescent service, in case of 2-light insulation or under, 50c. per month per light. Rate for metered arc and incandescent service, 15c. per kw. h.; discount, 20 per cent. on bills of \$15 per month or over. Rate for metered power service, 8c. per kw. h.; provided power is not used between hours of 5 and 12 p. m. For public service in Roslyn, incandescent street lighting: number of incandescent street lamps, 160; c. p., 20; schedule, all night, 4,000 hours per year; price per lamp per annum, \$20.

Remarks. For further rates charged for public service, see Hempstead, Port Washington, Great Neck, Manhasset, Lakeville, Westbury, Hicksville, Mineola, East Williston, Sea Cliff, Locust Valley and Glen Cove.

ROTTERDAM JUNCTION.

(Population, 4,198.)

Schenectady Illuminating Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 50; c. p., 16; schedule,

half hour after sunset until half hour before sunrise, 4,000 hours per year; price per lamp per annum, \$10.

Remarks.—For financial and operating data and rates charged for commercial service, see Schenectady.

ROUSES POINT.

(Population, 1,700.)

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation, 1903.

Financial data. Total assessed valuation of real estate in village, \$246,020; bonds, authorized, \$10,000; issued, \$10,000; interest, rate 4 per cent. Appropriation since June 30, 1905, for street lighting, \$1,500. Construction and equipment, \$22,805.23.

Operating data.—Gross earnings from operation, \$4,419.10; operating expenses, \$4,110.28; net income, \$308.82. Total kw. h. sold (n. r.); number of consumers, 70.

Rates charged.—For commercial service: lighting, 12¢. per kw. h., for less than 25 kw. h. per month; over 25 kw. h. per month, 10c. per kw. h.

ROXBURY.

(Population, 500.)

Roxbury Gas Lighting Company; gasolene gas.

Financial data.—Capitalization: common stock issued, \$4,500; bonds outstanding, none; dividends, rate 5 per cent; amount, \$225.

Operating data.—Gross earnings from operation, \$500; operating expenses (n. r.); daily capacity, 1,000 lights; length of main, 6,000 feet.

Rates charged.—For commercial service: lighting, \$2 per thousand cubic feet.

RUSHVILLE.

(Population, 500.)

The Rushville Mining and Gas Company; supplies natural gas.

Financial data.—Capitalization: common stock issued, \$7,000; preferred stock issued, \$2,000; bonds outstanding, \$9,000; interest, rate 6 per cent; amount (n. r.); dividends, none.

Operating data.—Gross earnings from operation, \$3,106.57; operating expenses, \$1,645; number of wells operating, 3. Gas sold, 12,500,000 cubic feet. Miles of main, 1 mile, 3,629 feet.

Rates charged.—For commercial service: lighting and fuel, 25c.; for public service: lighting public buildings, 25c. less 25 per cent. discount; street lighting: number of lamps, 31; price per lamp per year, \$3.50.

RYE (TOWN).

(Population, 1,877.)

Westchester Lighting Company; supplies water gas and electricity.

Remarks.— For financial and operating data and rates charged for gas and electric service, see Mount Vernon.

RYE.

(Population, 4,076.)

Westchester Lighting Company; supplies electricity.

Rates charged — Electric.— For public service, arc street lighting: number of arc lamps enclosed, 3; c. p., 1,200; N. Y. city schedule, 3,950 hours per year; price per lamp per annum, \$100; incandescent street lighting, number of incandescent street lamps, 35; c. p., 25; N. Y. city schedule, 3,950 hours per year; price per lamp per annum, \$18 to \$22.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

SACKETTS HARBOR.

(Population, 903.)

Dexter Electric Light and Power Company; supplies electricity.

Rates charged.— For commercial service, flat rates: incandescent service, 2c. per night per lamp; all night service. For public service, arc street lighting: number of arc lamps, enclosed (n. r.); schedule, dark till dawn; price per lamp per night, 20c.

Remarks.— For financial and operating data, see Dexter.

SAG HARBOR.

(Population, 3,048.)

Sag Harbor Electric Plant; supplies electricity; motive power, steam.

Financial data.— Construction and equipment (n. r.).

Rates Charged.— Number of consumers, 42; commercial service, lighting: flat rate, 50c. per month per 16 c. p. l. Public service: lighting public buildings, 50c. per month per 16 c. p. l.; street lighting: incandescent lights, 32 c. p., \$1 per month.

Sag Harbor Lighting Company; kind of gas, water.

Financial data.— Capitalization: common stock issued, \$20,000; bonds outstanding, \$20,000; interest, rate 5 per cent.;

amount (n. r.); dividends, rate 6 per cent.; amount \$1,200; balance sheet, June 30, 1906. Assets: construction and equipment account, \$40,378.65; total assets, \$46,131.55. Liabilities: capital account, \$40,000; total (exclusive of profit and loss account), \$45,490.79. Profit and loss, surplus, \$640.76. Capitalization per mile of main, \$5,970; construction account per mile of main, \$6,026.

Operating data.—Gross earnings from operation, \$15,496.70; operating expenses, \$10,610.28. Gas produced, 12,382,649 cubic feet; gas sold, 11,122,500 cubic feet; gas used by company, 191,000 cubic feet; gas unaccounted for, 957,849 cubic feet; percentage of gas unaccounted for 7.7. Number of meters in service, 255. Miles of main, 6 miles, 4,014 feet. Gas sold per capita, 3,455 cubic feet; gas sold per consumer, 21,510 cubic feet; gas sold per mile of main, 1,660,267 cubic feet; number of consumers per mile of main, 78.

Rates charged.—For commercial service: lighting, \$1.75; fuel, \$1.50. For public service: lighting public buildings, \$1.75 to \$1; street lighting: number of lamps, 2; number of hours lighted during the year, 4,000; price per lamp per year, free.

SALAMANCA.

(Population, 5,455.)

Salamanca Water Works Company; supplies electricity.

(This plant was sold to the village of Salamanca January 1, 1906, and the company has not operated the plant since; these figures therefore cover a period of 6 months to January, 1906.)

Financial data.—Capitalization: common stock, all stock of the Salamanca Company was issued and held as water stock and no stock or bonds were issued by the Company on account of the lighting plant. Balance sheet, December 31, 1905 (n. r.).

Operating data.—Gross earnings from operation, \$3,885.30; operating expenses, \$3,320.48. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 715 amperes; service transformers, 68.5 kw. capacity. Plant operated by natural gas power. Boiler, h. p., 300; engine, h. p., 300; generator capacity, 190 kw.

Rates charged.—For commercial service: incandescent service, 60c. to 25c. per month per light according to number used by consumer and amount used. Rate for metered arc and incandescent service, 10c. per kw. h.; a few large consumers, 5c. per kw. h. For public service, arc street lighting: number of arc lamps, open, 38; c. p., 2,000; schedule, moonlight; number of hours burned during $\frac{1}{2}$ year, 780; price per lamp for 6 months, \$36. Incandescent street lighting: number of incandescent street lamps of 16 c. p., 4; schedule, all night; price per lamp per month, 50c.; number of incandescent street lamps of 50 c. p., 1; schedule, all night; price per lamp per month, \$1.50.

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation (n. r.).

Financial data.—Total assessed valuation of real estate in village, \$1,109,405; bonds, authorized, \$15,000; issued, \$15,000; interest, rate 3.85 per cent. Appropriation since June 30, 1905, for street lighting, \$22,503.04. Construction and equipment (n. r.).

Operating data.—Gross earnings from operation, \$3,387.10; operating expenses, \$4,406.11; deficit, \$1,019.01. Total kw. h. sold (6 months), 656,337; number of consumers, 70.

Rates charged.—For commercial service: lighting, flat rates, 60c. per month for 1 light consumers; meter rates 8c. per kw. h. for first 75 kw. h., and 5c. thereafter.

Salamanca Gas Company; supplies natural gas.

(No report has been received from this company.)

SALEM.

(Population, 1,303.)

The People's National Bank of Salem; supplies electricity; operating plant of company formerly known as Salem Electric Light and Power Company.

Financial data.—Purchased by bank under foreclosure of mortgage. Balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$512.62; operating expenses, \$345.78. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by water power. Water wheel, h. p. (n. r.); generator capacity (n. r.).

Rates charged.—For commercial service: from \$1 per month per lamp, upward. Rates for metered arc and incandescent service, about 8c. per kw. h.; discounts, 10 per cent., 20 per cent. and 30 per cent. No public service.

SALINA (Town).

Syracuse Lighting Company; supplies electricity.

Remarks.—For financial and operating data and rates charged, see Syracuse.

SANDY CREEK.

(Population, 1,080.)

Sandy Creek Oil and Gas Company, Ltd.; supplies natural gas in Sandy Creek and Lacona.

Financial data.—Capitalization: common stock issued, \$15,000; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation, \$4,688.20; operating expenses, \$3,303.77. Number of wells operating, 11; gas sold, 11,905,500 cubic feet; miles of main, 3 miles, 364 feet.

Rates charged.—For commercial service: lighting and fuel, 40c. For public service: street lighting, number of lamps, 30; price per lamp, 25c. per month.

SANDY HILL.

(Population, 5,321.)

United Gas, Electric Light and Fuel Company; supplies coal gas and electricity in Sandy Hill, Fort Edward and South Glens Falls. Total population, 10,500.

Financial data.—Capitalization: common stock issued, \$200,000; bonds outstanding, \$150,000; interest, rate 5 per cent.; amount, \$7,500; dividends, none; balance sheet June 30, 1906. Assets: construction and equipment account, gas, \$248,576.42; electric, \$110,582.97; total assets, \$409,441.65. Liabilities: capital account, \$350,000; total (exclusive of profit and loss account), \$377,590.81. Profit and loss, surplus, \$31,850.84. Capitalization per mile of main (n. r.). Construction account per mile of main, \$14,452.

Operating data—Gas.—Gross earnings from operation, \$7,735.11; operating expenses, \$12,453.06. Gas purchased, 10,294,700 cubic feet; gas sold, 6,204,600 cubic feet; gas used by com-

pany (n. r.); gas unaccounted for, 4,090,100 cubic feet; percentage of gas unaccounted for, 50. Number of meters in service, 464. Miles of main, 17 miles, 1,361 feet; gas sold per capita, 590 cubic feet; gas sold per consumer, 13,035 cubic feet; gas sold per mile of main, 360,732 cubic feet; number of consumers per mile of main, 27.

Operating data — Electric.— Gross earnings from operation, \$46,058.04; operating expenses, \$26,714.98. Total amount of electricity purchased, 1,745,900 kw. h.; amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers, 450 kw. capacity, approximately. Current purchased.

Rates charged — Gas.— For commercial service: lighting and fuel, \$1.25. No public service.

Rates charged — Electric.— For commercial service, flat rates: incandescent service, \$1.25 per month per 32 c. p. l.; 75c. per 16 c. p. l.; 50c. per 8 c. p. l. Rates for metered arc and incandescent service: 10c. per kw. h., 10 per cent. discount; lamp renewals free; minimum 50c. per month; arcs, minimum, \$2.50 per month; rates for metered power service: 5c. to 1¾c. per kw. h.; minimum, \$1 per h. p. For public service in Sandy Hill: arc street lighting, number of arc lamps enclosed, 77; c. p., 2,000; schedule, all night; price per lamp per annum, \$50; incandescent street lighting: number of incandescent street lights, 10; c. p., 24; schedule, all night; price per lamp per annum, \$16.

Remarks.— For further rates charged for public electric service, see Fort Edward and South Glens Falls.

SARANAC LAKE.

Saranac Lake Light, Heat and Power Company; supplies electricity; supplies Saranac Lake and vicinity.

Financial data.— Capitalization: common stock, \$100,000; bonds outstanding, \$50,000; interest, 5 per cent.; amount, \$2,500; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$85,000; total assets, \$89,636.91. Liabilities: capital account, \$100,000; total, \$102,158.18. Profit and loss, deficiency, \$12,521.27.

Operating data.— Gross earnings from operation, \$28,169.59; operating expenses, \$21,857.94. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for

(n. r.). Connected load: commercial lights, 540 kw.; power, 5 kw.; total, 545 kw. Meters, 5,125 amperes; service transformers, 377.5 kw. capacity. Electricity generated by water power and gasolene engine auxiliary. Engine, h. p., 100; water wheel, h. p., 300; generator capacity, 290 kw.

Rates charged.—For commercial service, rates for metered arc and incandescent service: business places, 15c. per kw. h., maximum load indicated during each month; balance 6c. per kw. h. 10 per cent. discount; residences, 15c. per kw. h.; discount, 5 per cent. on bills of \$5 per month, to 37½ per cent. on bills of \$300; minimum charge, 75c. per month. Rates for power service: 10c. per kw. h., 30 hours service each month; balance 6c. per kw. h.; 10 per cent. discount; minimum, \$1 per month. For public service, incandescent street lighting: number of incandescent street lamps, 185; c. p., 30 and 32; schedule, all night, every night; 4,000 hours per year; price charged per lamp per annum, \$20.

SARATOGA SPRINGS.

(Population, 12,409.)

Saratoga Gas, Electric Light and Power Company; supplies water gas and electricity.

Financial data.—Capitalization: common stock issued, \$30,500; preferred stock issued, \$180,400; bonds outstanding, \$123,500; interest, rate 5 per cent.; amount, \$6,175.03; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$503,230.65; total assets, \$573,510.22. Liabilities: capital account, \$334,400; total (exclusive of profit and loss account), \$427,302.51. Profit and loss, surplus, \$146,207.71. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, \$66,301.52; operating expenses, \$49,647.89. Gas produced, 50,782,800 cubic feet; gas sold, 37,729,300 cubic feet; gas used by company, 313,900 cubic feet; gas unaccounted for, 6,782,200 cubic feet; percentage of gas unaccounted for, 13.35. Number of meters in service, 2,344. Miles of main, 24 miles, 1,679 feet. Gas sold per capita, 3,040 cubic feet; gas sold per consumer, 29,638 cubic feet; gas sold per mile of main, 1,552,646 cubic feet. Number of consumers per mile of main, 52.

Operating data — Electric.— Gross earnings from operation, \$49,696.30; operating expenses, \$28,864.33. Total amount of electricity purchased, 1,076,745 kw. h.; amount sold, 924,083 kw. h.; amount unaccounted for, 152,661 kw. h., equal 14 per cent. Connected load: street lights, 100 kw.; commercial lights, 782 kw.; power, 277 kw.; total, 1,159 kw. Meters, 8,455 amperes; service transformers, 1,148 kw. capacity. Current purchased.

Rates charged — Gas.— For commercial service: lighting, \$2 gross, \$1.75 net; special rates to large consumers of quasi public institutions; fuel, \$1.25 per thousand. For public service: number of Welsbach lamps, 220; 4,430 hours per year; price per lamp per annum, \$25. In public buildings, \$1.75, \$1.50 and \$1.25.

Rates charged — Electric.— For commercial service, flat rates: arc service, 50c. per night, net, per lamp; incandescent service, not exceeding 3 lights, rate according to hours of burning; minimum 50c. per month net. Rate for metered arc and incandescent service: 12½c. per kw. h.; discount, 10 per cent.; large hotels, 10c. per kw. h., net; outside signs, 5c. per kw. h.; minimum, 50c. per month. Rates for metered power service: 8c. maximum, 1½c. minimum; minimum charge, \$1 per month per h. p., plus current consumed at above rates. For public service, arc street lighting: number of arc lamps enclosed, 154; c. p., 2,000; schedule, one hour after sunset to one hour before sunrise; 3,925 hours per year; price per lamp per annum, \$100; incandescent street lighting: number of incandescent street lights, 156; c. p., 20; schedule, one hour after sunset to one hour before sunrise; 3,525 hours per year; price per lamp per annum, \$21.

SAUGERTIES.

(Population, 4,100.)

Saugerties Gas Light Company; kind of gas, coal.

Financial data.— Capitalization: common stock issued, \$32,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$38,055.85; total assets, \$41,458.48. Liabilities: capital account, \$32,000; total (exclusive of profit and loss account), \$37,055.61. Profit and loss, surplus, \$4,402.87. Capitalization per mile of main, \$7,272; construction account per mile of main, \$8,649.

Operating data.— Gross earnings from operation, \$4,842.10; operating expenses, \$3,568.21 (for 8 months). Gas produced,

4,411,774 cubic feet; gas sold, 3,708,000 cubic feet; gas used by company, 102,000 cubic feet; gas unaccounted for, 601,774 cubic feet; percentage of gas unaccounted for 13.8. Number of meters in service, 288. Miles of main, 4 miles, 2,256 feet; gas sold per capita, 1,000 cubic feet; gas sold per consumer, 11,700 cubic feet; gas sold per mile of main, 600,000 cubic feet; number of consumers per mile of main, 74. Residuals: coke, 212 net tons; tar, 657 gallons.

Rates charged.—For commercial service: lighting, \$2 gross; \$1.90 net; fuel, \$2; 40c. discount on illuminating and fuel.

Ulster Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$30,000; bonds, outstanding, \$6,000; interest, 6 per cent.; amount, \$360; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$9,570.99; operating expenses, \$9,135.81. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 6 kw; connected load, commercial lights, 63 kw.; total, 69 kw. Meters, 3,879 amperes; service transformers, 437.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 250; engine, h. p., 125; generator capacity, 90 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 75c. per month per 16 c. p. l.; \$3 per month for 3 (one, all night), and sliding scale to \$12 for 16 (one, all night). Rates for metered arc and incandescent service, 15c. per kw. h.; discount, 15 per cent. for factory use. For public service, arc street lighting: number of arc lamps enclosed, 15; c. p., 1,200; schedule, all night; price per lamp per annum, \$100. Incandescent street lighting: number of incandescent street lamps, 1 c. p., 32; schedule, all night; 84 lamps; c. p., 16; schedule, all night; price per lamp per annum, \$13.

SAYVILLE.

(Population, 800.)

The Sayville Electric Company; supplies electricity; also supplies Bayport and West Sayville.

Financial data.—Capitalization: common stock, \$30,000; bonds, none; dividends, 6 per cent.; amount, \$1,800; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.). Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 1,950 amperes; service transformers, 3,400 kw. capacity. Electricity generated by steam power. Boiler, h. p., 160; engine, h. p., 350; generator capacity, 210 kw.

Rates charged.—For commercial service, flat rates: 75c. to 50c. per month per 16 c. p. l. For public service, incandescent street lighting: number of incandescent street lamps, 96; c. p., 25; schedule, all night; 4,000 hours per year; price per lamp per annum, \$18.

SCARSDALE.

(Population, 1,018.)

Westchester Lighting Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for electric service, see Mount Vernon.

SCHENECTADY.

(Population, 58,387.)

Mohawk Gas Company; kind of gas, mixed coal and water.

Financial data.—Capitalization: common stock issued, \$290,000; preferred stock issued, \$154,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$1,037,771.47; total assets, \$1,037,771.47. Liabilities: capital account, \$904,031.32; total (exclusive of profit and loss account), \$904,031.32. Profit and loss, surplus, \$133,740.15. Capitalization per mile of main, \$8,973; construction account per mile of main, \$20,965.

Operating data.—Gross earnings from operation, \$200,276.21; operating expenses, \$120,969.34. Gas produced, 181,319,390 cubic feet; gas sold, 177,147,100 cubic feet; gas used by company, 970,600 cubic feet; gas unaccounted for, 2,201,890 cubic feet; percentage of gas unaccounted for, 1.2. Number of meters in service, 2,527. Miles of main, 49 miles, 2,555 feet. Gas sold per capita, 3,068 cubic feet; gas sold per consumer, 29,203 cubic feet; gas sold per mile of main, 3,830,994 cubic feet; number of consumers per mile of main, 125. Residuals: coke, 309,290 net tons; tar, 102,763 gallons; ammoniacal liquor, 3,315,129 gallons.

Rates charged.—For commercial service: lighting, gross,

\$1.50; net, \$1.20; fuel, gross, \$1.50. For public service: lighting public buildings, \$1.20.

Schenectady Illuminating Company; supplies electricity; also supplies Rotterdam, Niskayuna, Scotia, Loudonville, Carman, Karners, West Albany, and Clifton Park.

Financial data.—Capitalization: common stock, \$80,000; bonds outstanding, \$1,000,000; interest, $4\frac{1}{2}$ per cent; amount, \$45,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$2,294,346.14; total assets, \$3,312,820.20. Liabilities: capital account, \$1,080,000; total (exclusive of profit and loss account), \$3,189,742.18. Profit and loss, surplus, \$123,078,202.

Operating data.—Gross earnings from operation, \$315,625.31; operating expenses, \$164,305. Total amount of electricity purchased, 10,480,000 kw. h.; amount sold, 7,690,000 kw. h.; amount unaccounted for, 2,790,000 kw. h.; equals 27 per cent. Connected load, street lights, 651 kw.; connected load, commercial lights, 5,840 kw.; power, 2,690 kw.; total, 9,181 kw. Meters, 99,065 amperes; service transformers, 3,589.9 kw. capacity. Current purchased.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 15c. per kw. h.; discount, 10 per cent. to 50 per cent.; rate for metered power service, 10c. per kw. h.; discount, 10 per cent. to 50 per cent. For public service in Schenectady, arc street lighting: number of arc lamps, enclosed, 593; c. p., 2,000; schedule, half hour after sunset until half hour before sunrise; 4,000 hours per year; price per lamp per annum, \$82.13. Incandescent street lighting: number of incandescent street lamps, 9; c. p., 50; schedule, half hour after sunset until half hour before sunrise; 4,000 hours per year; price per lamp per annum, \$42.

Remarks.—For further rates charged for public service, see Scotia, Rotterdam Junction lighting district and Loudonville lighting district.

SCHENEVUS.

(Population, 602.)

The Schenevus Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$6,000; bonds outstanding, \$7,800; interest, 5 per cent.; amount, \$380; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$13,420; total assets, \$14,180.25. Lia-

bilities: capital account, \$13,800; total (exclusive of profit and loss account), \$13,995. Profit and loss, surplus, \$185.25.

Operating data.—Gross earnings from operation, \$2,152.29; operating expenses, \$1,217.04. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights, 25.2 kw. Meters, 10 amperes; service transformers, 23.5 kw. capacity. Electricity generated by water power, steam auxiliary. Boiler, h. p., 90; engine, h. p., 60; generator capacity, 30 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 50c. per month per 16, c. p. l., business places; \$2 to \$3 per month residences. Rates for metered arc and incandescent service, 10c. per kw. h. For public service, incandescent street lighting: number of incandescent street lamps, 43; c. p., 32; schedule, every night until 1 A. M.; 2,555 hours per year; price per lamp per annum, \$15.

SCHOHARIE.

(Population, 1,021.)

Middleburgh and Schoharie Electric Light, Heat and Power Company; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lamps enclosed, 23; c. p., 1,200; schedule, midnight, moonlight; price per lamp per annum, \$55; incandescent street lighting: number of incandescent street lamps, 1; c. p., 32; schedule, midnight, moonlight; price charged per lamp per annum, \$20.

Remarks.—For financial and operating data and rates charged for commercial service, see Middleburgh.

SCHUYLERVILLE.

(Population, 2,200.)

Consolidated Electric Company; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lamps, open, 24; c. p., 2,000; schedule, moonlight; price per lamp per annum, \$57.50.

Remarks.—For financial and operating data and prices charged for commercial lighting by this company, see Greenwich.

SCIO.

Empire Gas and Fuel Company, Ltd.; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Wellsville.

SCOTIA.

(Population, 2,166.)

Schenectady Illuminating Company; supplies electricity.

Rates charged.— For public service, incandescent street lighting: number of incandescent street lamps, 115; c. p., 16; schedule, half hour after sunset until half hour before sunrise; 4,000 hours per year; price per lamp per annum, \$10.

Remarks.— For financial and operating data and rates charged for commercial service, see Schenectady.

SCOTTSVILLE (Lighting District).

(Population, 900.)

Scottsville Electric Light and Gas Company; supplies electricity.

Financial data.— Capitalization: common stock, \$20,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.— Gross earnings from operation, \$1,814; operating expenses, \$1,500. Total amount of electricity generated and sold, 10,439 kw. h. Connected load: commercial lights, 30 kw. Meters, 10 amperes; service transformers, 23.5 kw. capacity. Electricity generated by water power. Waterwheel, h. p., 170, leased; generator capacity, 75 kw.

Rates charged.— For commercial service, rate for metered arc and incandescent service: 12c. per kw. h.; discount, 5 per cent.; minimum, 75c. per month. For public service in Scottsville Lighting District and town of Wheatland, incandescent street lighting: number of incandescent street lamps of 32 c. p., 42; number of incandescent street lamps of 50 c. p., 11; schedule, sundown to midnight; 2,400 hours per year; price charged, \$1,000 gross for 50 lamps.

SEA CLIFF.

(Population, 1,750.)

Sea Cliff and Glen Cove Gas Company; kind of gas, water; also supplies Glen Cove; total population, 8,100.

Financial data.— Capitalization: common stock issued, \$150,000; bonds outstanding, \$150,000; interest, rate 5 per cent.; amount (n. r.); dividends, none; balance sheet, June 30, 1906. Capitalization per mile of main, \$44,776; construction account per mile of main (n. r.).

Operating data.—Gross earnings from operation, \$2,221.05; operating expenses (not kept separate from construction account). Gas produced (n. r.); gas sold, 1,485,900 cubic feet; gas used by company, etc. (n. r.). Number of meters in service, 201. Miles of main, six miles, 3,488 feet. Gas sold per capita, 183 cubic feet; gas sold per consumer, 7,392 cubic feet; gas sold per mile of main, 223,960 cubic feet; number of consumers per mile of main, 30.

Rates charged.—For commercial service, lighting: \$1.50.

Nassau Light and Power Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 163; c. p., 30; schedule, all night; 4,000 hours per year; price per lamp per annum, \$15.

Remarks.—For financial and operating data and rates charged for commercial service, see Roslyn.

SENECA CASTLE.

(Population, 200.)

Individual plant; name of owner, Henry S. Schoonmaker; supplies acetylene gas.

Construction and equipment, \$450.

Number of cubic feet sold, 6,072.

Rates charged.—Commercial service, lighting: \$1.50 per hundred cubic feet.

SENECA FALLS.

(Population, 6,733.)

Seneca Falls and Waterloo Gas Light Company; kind of gas, coal; also supplies Waterloo; total population, 11,000.

Financial data.—Capitalization: common stock issued, \$80,000; bonds outstanding, \$150,000; interest, rate 5 per cent.; amount, \$3,750; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$158,629; total assets, \$167,454.89. Liabilities: capital account, \$155,000; total (exclusive of profit and loss account), \$160,132.13. Profit and loss, surplus, \$7,322.76. Capitalization per mile of main, \$9,748; construction account per mile of main, \$9,913.

Operating data.—Gross earnings from operation, \$26,649.48; operating expenses, \$14,810.36; gas purchased, 21,941,400 cubic feet; gas sold, 19,042,900 cubic feet; gas used by company, 458,700 cubic feet; gas unaccounted for, 2,255,200 cubic feet; per-

centage of gas unaccounted for, 11.2. Number of meters in service, 842. Miles of main, 15 miles, 4,727 feet. Gas sold per capita, 1,731 cubic feet; gas sold per consumer, 15,900 cubic feet; gas sold per mile of main, 119,000 cubic feet. Number of consumers per mile of main, 80.

Rates charged.—For commercial service: lighting, \$1.60 gross, \$1.40 net; fuel, \$1.60; for consumption up to 5,000 cubic feet per month net, \$1.50.

Seneca Edison Company; supplies electricity; also supplies Waterloo.

Financial data.—Capitalization: common stock, \$50,000; bonds outstanding, \$50,000; interest, 5 per cent.; amount, \$2,500; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$103,332.40; total assets, \$108,422.16. Liabilities: capital account, \$100,000; total (exclusive of profit and loss account), \$107,822.36. Profit and loss, surplus, \$599.80.

Operating data.—Gross earnings from operation, \$25,139.11; operating expenses, \$19,941.50. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: street lights, 84 kw.; connected load: commercial lights, 310 kw.; power, 14 kw.; total, 408 kw. Meters, 2,725 amperes; service transformers, 267.75 kw. capacity. Electricity generated by water and steam power. Boiler, h. p., 440; engine, h. p., 450; water wheel, h. p., 300, 250 leased; generator capacity, 498 kw.

Rates charged.—For commercial service, flat rates; incandescent service, varying, figured on meter basis for number of hours consumer wishes to run per month, minimum, \$1 per month. Rates for metered arc and incandescent service, 16c. per kw. h. for the first 2 kw. h. used per month for each 16 c. p. l., connected; 8c. per kw. h. for all current consumed above this initial quantity; discount, 5 per cent. An arc lamp is calculated as equaling 10 16 c. p. lamps. Rates for metered power service, 10c. per kw. h.; discount, 5 per cent. For public service in Seneca Falls: arc street lighting, number of arc lamps, enclosed, 81, of 6.6 amperes; schedule, dusk to 12:30 A. M. every night; price per lamp per annum, \$55; incandescent street lighting: number of incandescent street lamps, 42; c. p., 32; schedule, dusk to 12:30 A. M. every night; price per lamp per annum, \$16.25.

Remarks.—For further rates charged for public service, see Waterloo,

SETAUKET.

(Population, 300.)

Port Jefferson Electric Light Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Port Jefferson.

SHELDRAKE.

(Population, 100.)

Ovid Electric Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Ovid.

SHERBURNE.

(Population, 927.)

Opera House and Gas Association; supplies gasolene gas.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Construction and equipment, \$12,000.

Gas sold (n. r.).

Rates charged.— For commercial service: lighting and fuel, \$2 to \$1.50; for public service: number of street lamps (n. r.); number of hours per year, 1,800; price per lamp per annum, \$15.

SHERIDAN.

South Shore Natural Gas and Fuel Company; supplies natural gas.

Remarks.— For financial and operating data and rates charged, see Dunkirk.

SHERMAN.

(Population, 797.)

Sherman Electric Light Company; supplies electricity.

Financial data.— Capitalization: common stock, \$9,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.)

Operating data.— Gross receipts, \$3,146.87; gross expenditures, \$2,607.87. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, 66 kw. Meters, 567.5 amperes; 552.5 amperes capacity owned by customers; service transformers, none. Electricity generated by steam power. Boiler, h. p., 100; engine, h. p., 164; generator capacity, 45.

Rates charged.—For commercial service, flat rates; incandescent service, 62½c. per month per 16 c. p. l.; minimum, \$1 per month. Rates for metered arc and incandescent service, 15c. per kw. h. For public service: incandescent street lighting, number of incandescent street lamps, 62; c. p., 16; schedule, moonlight, dark until midnight; 5 A. M. until daylight, October to March; 2,650 hours per year; price per lamp per month, 80c.

SHORTSVILLE.

(Population, 956.)

Individual plant; name of owner, H. O. Klinck; supplies acetylene gas.

Construction and equipment, \$2,900.

Number of cubic feet sold, 21,096.

Rates charged.—Commercial service lighting, \$1.50 per hundred cubic feet.

Ontario Light and Traction Company; supplies electricity.

Rates charged.—For public service: incandescent street lighting, number of incandescent street lamps 49; c. p., 30; schedule, 276 nights to 1 A. M.; 1,932 hours per year; price per lamp per annum, \$13.

Remarks.—For financial and operating data and rates charged for commercial service, see Canandaigua.

SHUSHAN.

(Population, 400.)

The Shushan Electric Light Station; name of owner, L. C. Piser; supplies electricity; motive power, water.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Construction and equipment, \$10,000.

Rates charged.—For commercial service, flat rates: incandescent service, \$5 to \$2 per lamp per annum. For public service, incandescent street lighting, number of incandescent street lamps, 40; c. p. 25; number of hours per year, 5,000; price per lamp per annum, \$8.50.

SIDNEY.

(Population, 2,522.)

Standard Light, Heat and Power Company; supplies electricity.

Rates charged.—For public service: arc street lighting, number of arc lamps enclosed, 27; c. p., 2,000; schedule, from twilight to

1 A. M. every night; price per lamp per annum, \$70; one lamp free.

Remarks.—For financial and operating data and rates charged for commercial service, see Unadilla.

SILVER CREEK.

(Population, 2,073.)

People's Electric Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$17,850; bonds, none; dividends, 3 per cent.; amount, \$535.50; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$7,109.37; operating expenses, \$6,462.06. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 210 amperes; service transformers, 280 kw. capacity. Electricity generated by steam power; boiler, h. p., 225; engine, h. p., 250; generator capacity, 97.5 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 45c. per month per 16 c. p. l.; 5 lamps, \$25 per annum; 10, \$34; 20, \$47; 25, \$55; and all over 25, \$1.20 per annum; discount, 10 per cent. Rates for metered arc and incandescent service, 13½c. per kw. h.; discount, 10 per cent. For public service, arc street lighting: number of arc lamps, open, 36; enclosed, 8; c. p., 2,000; schedule, moonlight; price per lamp per annum, \$75.

Silver Creek Gas and Improvement Company; supplies natural gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization, capital stock: \$74,950; bonds, none; dividends, none.

Operating data.—Gas sold, 41,154,000 cubic feet.

Rates charged.—For commercial service: lighting, 55c. and 30c. gross; 50c. and 25c. net; fuel, 25c.

South Shore Natural Gas and Fuel Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Dunkirk.

SKANEATELES.

(Population, 1,584.)

Supplied by municipal electric plant; service furnished, public and commercial; date of beginning operation, 1900.

Financial data.—Total assessed valuation of real estate in village, \$1,022,450; bonds, authorized, \$23,000; issued, \$22,000; interest, rate $3\frac{1}{2}$ per cent. Appropriation since June 30, 1905, for street lighting, \$2,500. Construction and equipment, \$28,480.

Operating data.—Gross earnings from operation, \$8,292.76; operating expenses, \$6,175.16; net income, \$1,347.60. Total kw. h. sold, 94,486; number of consumers, 168.

Rates charged.—For commercial service: lighting, meter rates, 12c. per kw. h., with discount of 2c. per kw. h. for prompt payment. On bills ranging from \$15 to \$30, discount of 4c. per kw. h.; over \$30, discount of 6c. per kw. h. Power service same rate as lighting.

SLOAN.

(Population, 1,246.)

The Depew and Lancaster Light, Power and Conduit Company; supplies electricity.

Rates charged.—Electric, for public service: arc street lighting, number of arc lamps enclosed, 27; c. p., 2,000; schedule, all night; 4,000 hours per year; price per lamp per annum, \$72.50.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Lancaster.

SODUS.

(Population, 1,500.)

Sodus Gas and Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$15,000; bonds outstanding, \$9,500; interest, 5 per cent.; amount, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$23,823.04; total assets, \$24,862.98. Liabilities, capital account, \$24,500; total, \$25,866.52. Profit and loss, deficiency, \$1,003.54.

Operating data.—Gross earnings from operation, \$1,383; operating expenses, \$2,386.54. Total amount of electricity generated (n. r.); amount sold, 12,241 kw. h.; amount unaccounted for (n. r.). Connected load, commercial lights, 50 kw. Meters, 845 amperes; service transformers, 93 kw. capacity. Electricity gen-

erated by steam power; boiler, h. p., 150; engine, h. p., 150; generator capacity, 75 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, less than 20 kw. h. per month, 12c. per kw. h.; 20 to 75 kw. h., 10c. per kw. h.; over 75 kw. h., 8½c. per kw. h.; discount, 2 per cent.; minimum, \$1 per kw. capacity-demand per month. No public service.

SOLSVILLE.

Individual plant; name of owner, George R. Smith; supplies electricity; also supplies Madison; motive power, water.

Construction and equipment, \$4,500.

Rates charged.—For commercial service (n. r.); for public service in Solsville: incandescent street lighting: number of incandescent street lamps, 10; c. p., 25; schedule, one hour after sunset to 1 A. M.; price per lamp per annum, \$12.

SOUTHAMPTON.

(Population, 2,200.)

Suffolk Light, Heat and Power Company; supplies electricity; also supplies Water Mill.

Financial data.—Capitalization: common stock, \$40,000; bonds outstanding, \$65,000; interest, 6 per cent. limit on \$25,000 income bonds; balance, 5 cent.; amount, \$1,557.50; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$110,751.23; total assets, \$112,603.36; liabilities, capital account, \$105,000; total, \$118,400; profit and loss, deficiency, \$5,796.64.

Operating data.—Gross earnings from operation, \$17,625.64; operating expenses, \$11,227.46. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.). Meters, 2,625 amperes; service transformers, 301 kw. capacity. Electricity generated by steam power. Boiler, h. p., 450; engine, h. p., 530; generator capacity, 335 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 15c. per kw. h., discount 10 per cent. on bills of \$15 per month and over, minimum 75c. per month. For public service in Southampton, arc street lighting: number

of arc lamps, enclosed, 5; c. p., 1,200; schedule (n. r.); price charged per lamp per annum (n. r.); incandescent street lighting: number of incandescent street lamps, 102; c. p., 20; schedule (n. r.); price charged per annum (n. r.).

SOUTH GLENS FALLS.

(Population, 2,097.)

United Gas, Electric Light and Fuel Company; supplies coal gas and electricity.

Rates charged — Gas.— For commercial service, same as charged by this company in Sandy Hill. See Sandy Hill.

Rates charged — Electric.— For public service, arc street lighting: number of arc lamps, enclosed, 44; c. p., 2,000; schedule, all night; price per lamp per annum, \$50.

Remarks.— For financial and operating data and rates charged for commercial gas and electric service, see Sandy Hill.

SOUTH KORTRIGHT.

(Population, 300.)

West Branch Light and Power Company; supplies electricity.

Remarks.— For financial data, see Stamford.

SOUTH NYACK.

(Population, 1,848.)

Nyack Gas Light and Fuel Company; kind of gas, water.

Remarks.— For financial and operating data and rates charged see Nyack.

Rockland Light and Power Company; supplies electricity.

Rates charged.— For public service, arc street lighting: number of arc lamps enclosed, 14; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$105. Incandescent street lighting: number of incandescent street lamps, 55; c. p., 25; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$18.

Remarks.— For financial and operating data and rates charged for commercial lighting, see Nyack.

SOUTHOLD.

(Population, 1,200.)

Southold Lighting Co.; acetylene gas.*Financial data.*—Capitalization: common stock issued, \$7,125; bonds outstanding, none; dividends, none.*Operating data.*—Gross earnings from operation, \$1,377.10; operating expenses, \$1,337.83; daily capacity, 1,000 lights; length of main, 24,800 feet.*Rates charged.*—For commercial service: lighting, \$15 per thousand cubic feet; for public service, street lighting: number of lamps, 60; price per lamp per year, \$11.66.**SOUTH NEW BERLIN.**

(Population, 300.)

South New Berlin Gas Company; gasolene gas.*Financial data.*—Capitalization: common stock issued (n. r.); bonds outstanding (n. r.); dividends (n. r.).*Operating data.*—(n. r.).*Rates charged.*—For commercial service, lighting, \$2 per thousand cubic feet.**SOUTH OTSELIC.**

(Population, 300.)

Merchants' Gas Company; gasolene gas.*Financial data.*—Capitalization: common stock issued, \$1,150; bonds outstanding, none; dividends, rate 10 per cent.; amount, \$115.*Operating data.*—Gross earnings from operation, \$565.60; operating expenses, \$436.69; daily capacity, 300 lights; length of main, 1,330 feet.*Rates charged.*—For commercial service, lighting and fuel, \$1.75 per 1,000 cubic feet.**SPENCER.**

(Population, 700.)

Individual plant; name of owner, S. Alfred Seely Estate; supplies electricity; motive power, steam.

Construction and equipment, \$2,425.

Number of consumers, 41.

Rates charged.—Commercial service lighting: flat rate, \$1.50 per month; meter rate, from 15c. to 8c. per kw. h., according to amount used. Public service, incandescent street lighting, same as meter rates above.

SPENCERPORT.

(Population, 770.)

Supplied by municipal acetylene gas plant; service furnished, public and commercial; date of beginning operation, 1902.

Financial data.—Total assessed valuation of real estate in village, \$405,322.76; bonds: authorized, \$4,000; issued, \$4,000; interest, rate (n. r.). Appropriation since June 30, 1905, for street lighting, \$3,886. Construction and equipment (n. r.).

Operating data.—Gross earnings from operation (n. r.); operating expenses, \$4,023.44; net income (n. r.). Total number of cubic feet sold (n. r.). Number consumers (n. r.).

Rates charged.—For commercial service, lighting and fuel, \$10 per thousand cubic feet.

SPRING VALLEY.

(Population, 2,583.)

Rockland Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Nyack.

SPRINGVILLE.

(Population, 2,230.)

Supplied by municipal electric plant; service furnished, public and commercial.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Bonds authorized, \$32,558; bonds issued, \$32,558. Construction and equipment, \$60,000.

Operating data.—Electricity generated by water power.

Rates charged.—For commercial service: rate for metered incandescent service, 5c. per kw. h.; rate charged for power, sliding scale averaging 2c. per kw. h. Public service, arc street lighting: number of arc lamps, enclosed, 40; c. p., 2,000.

Springville Natural Gas Company; supplies natural gas.

Financial data.—Capitalization: common stock issued, \$20,000; bonds outstanding, none; dividends, rate 30 per cent.; amount, \$6,000.

Operating data.—Gross earnings from operation (n. r.); operating expenses, \$9,300; number of wells operating, 5; gas sold, 6,000,000 cubic feet; miles of main, 6 miles, 132 feet.

Rates charged.—For commercial service: lighting and fuel, 25c.

SPUYTEN DUYVIL.

Westchester Lighting Company; supplies water gas.

Remarks.—For financial and operating data and rates charged for gas service, see Mount Vernon.

STAMFORD.

(Population, 973.)

Stamford Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$20,000; bonds outstanding, \$20,000; interest, 5 per cent.; amount, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$5,434.88; operating expenses, \$5,622.15. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load: street lights (n. r.); connected load: commercial lights (n. r.); power (n. r.). Meters, 605 amperes; service transformers, 86.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 100; engine, h. p., 90; generator capacity, 75 kw.

Rates charged.—For commercial service, flat rates; incandescent service, 70c. per month per 16 c. p. l.; 50c. per month per 10 c. p. l.; 40c. per month per 8 c. p. l.; half rates when lights are in storerooms, cellars, stables, etc. Rates for metered arc and incandescent service, 20c. per kw. h.; discounts, 5 per cent. to 60 per cent. For public service: incandescent street lighting, number of incandescent street lamps, 65; c. p., 25; schedule, moonlight, midnight; about 1,800 hours per year; price per lamp per annum, about \$14.79.

West Branch Light and Power Company; supplies electricity; also supplies Hobart and South Kortright.

Financial data.—Capitalization: common stock, \$5,000; bonds outstanding, \$45,000; interest, 5 per cent.; amount, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Remarks.—The organization of this company is not completed. See Stamford Electric Light Company for operating data and rates charged.

STANARDS.

Empire Gas and Fuel Company, Ltd.; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Wellsville.

STILLWATER.

(Population, 923.)

Halfmoon Light, Heat and Power Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 54; c. p., 25; schedule, all night; 3,650 hours per year; price per lamp per month, \$13.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Mechanicville.

ST. JOHNSVILLE.

(Population, 2,172.)

East Creek Electric Light and Power Company; supplies electricity. (Also sells in bulk to Fort Plain Gas and Electric Light and Power Company, and to Montgomery Electric Light and Power Company.)

Financial data.—Capitalization: common stock, \$200,000; bonds outstanding, \$125,000; interest, 5 per cent.; amount, \$7,250; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account (including materials and supplies), \$338,794.96; total assets, \$339,294.76. Liabilities: capital account, \$325,000; total (exclusive of profit and loss account), \$325,000. Profit and loss, surplus, invested in plant, \$14,294.96.

Operating data.—Gross earnings from operation, \$21,964.02; operating expenses, \$11,735.70. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 8 kw.; connected load, commercial lights, 214 kw.; power, 512 kw.; total, 734 kw. Meters, 2,025 amperes; service transformers, 394 kw. capacity. Electricity generated by water power; steam auxiliary at St. Johnsville. Engine, h. p., 325; water wheel, h. p., 2,300; generator capacity, 1,350½ kw.

Rates charged.—For commercial service, flat rates, arc service: 7 arcs, average, \$72 per annum. Incandescent service: business places, 50c. to 35c. per month per 16 c. p. l.; residences, 35c. to

25c. per lamp; minimum, 50c. per month. Rate for metered arc and incandescent service, 7c. to 2c. per kw. h.; minimum, 50c. per month; business places, sliding scale; residences, 8c. per kw; rates for power service, \$40 to \$24 per h. p.; rate for metered power service, 1½c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 6; c. p., 1,200; schedule, all night; 3,946 hours per year. Incandescent service: number of incandescent street lamps, 103; c. p., 100; schedule, dark to daylight; 3,946 hours per year. Contract price for arcs and incandescents together, \$1,905.

STOCKHOLM.

(Population, 2,826.)

Individual plant; name of owner, George N. Gibson; supplies electricity. Motive power, water. Construction and equipment (n. r.). Number of consumers, 7. Rates charged, commercial service lighting, flat rate, \$2 per lamp per year.

STONY BROOK.

(Population, 600.)

Port Jefferson Electric Light Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Port Jefferson.

STONY POINT.

Rockland Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Nyack.

ST. REGIS FALLS.

(Population, 1,323.)

St. Regis Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$50,000; bonds, none; dividends, rate 2 per cent; amount, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$50,000; total assets, \$53,839.46. Liabilities: capital account, \$50,000; total liabilities (exclusive of profit and loss account), \$53,508. Profit and loss, surplus, \$331.46.

Operating data.—Gross earnings from operation, \$4,185.52; operating expenses, \$2,312.22. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for

(n. r.). Connected load, commercial lights, 40 kw; power, 20 kw.; total, 60 kw. Meters, 490 amperes; service transformers, 87.5 kw. capacity. Electricity generated by water power. Water wheel, h. p., 200; generator capacity, 75 kw.

Rates charged.—For commercial service, flat rates: incandescent service, business places, \$6 to \$4.50 per year; residences, \$3 per year. Rates for metered arc and incandescent service, 12c. per kw. h., 25 kw. h. per month or less; 10c. per kw. h., over 25 kw. h. per month. On bills of less than \$3 monthly, meter rent of 20c. per month is charged. Rate for metered power service, 5c. per kw. h. For public service: incandescent street lighting, number of incandescent street lamps, 62; c. p., 32; schedule, all night; 4,000 hours per year; price per lamp per annum, \$8.

SUFFERN.

(Population, 2,665.)

Suffern Gas Company; kind of gas, water.

Financial data.—Capitalization: common stock issued, \$100,000; bonds outstanding, \$100,000; interest, rate 5 per cent.; amount (n. r.); dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$206,000; total assets, \$209,466.71. Liabilities: capital account, \$200,000; total liabilities, \$228,283.59; profit and loss, deficit, \$18,816.84. Capitalization per mile of main, \$35,087; construction account per mile of main, \$36,140.

Operating data.—Gross earnings from operation, \$8,200; operating expenses, \$7,749.97. Gas produced (n. r.); gas sold, 5,800,000 cubic feet; gas unaccounted for, 1,200,000 cubic feet; percentage of gas unaccounted for, 16. Number of meters in service, 400. Miles of main, 5 miles, 3,880 feet. Gas sold per capita, 2,184 cubic feet; gas sold per consumer, 14,500 cubic feet; gas sold per mile of main, 1,000,000 cubic feet; number of consumers per mile of main, 70.

Rates charged.—For commercial service: lighting, \$1.50 gross; \$1.40 net; fuel, \$1.50; discount, 10c. for fuel.

Rockland Electric Company; supplies electricity.

Rates charged.—For public service: incandescent street lighting, number of incandescent street lamps, 78; c. p., 20; schedule, all night, moonlight; price per lamp per annum, \$15.

Remarks.—For financial and operating data and rates charged for commercial service, see Hillburn.

SYRACUSE.

(Population, 117,500.)

Syracuse Lighting Company; supplies mixed coal and water gas and electricity in city of Syracuse, and electricity in towns of DeWitt, Onondaga, Manlius, Salina and Geddes.

Financial data.—Capitalization: common stock issued, \$3,000,000; preferred stock issued, \$1,000,000; bonds outstanding, \$5,000,000; interest, rate 5 per cent.; amount, \$243,495.83. Dividends: rate 5 per cent., preferred; 6 per cent., common; amount, \$110,000; balance sheet, June 30, 1906. Assets: construction and equipment account, gas and electric, \$9,012,548.72; total assets, \$9,314,148.02. Liabilities: capital account, \$8,884,000; total (exclusive of profit and loss account), \$8,977,527.14. Profit and loss, surplus, \$336,620.88. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.—Gross earnings from operation, \$415,662.14; operating expenses, \$253,044.67. Gas produced, 418,695,438 cubic feet; gas sold, 364,385,500 cubic feet; gas used by company, 4,421,100 cubic feet; gas unaccounted for, 47,632,980 cubic feet; percentage of gas unaccounted for, 11.41. Number of meters in service, 13,088. Miles of main, 128 miles, 887 feet. Gas sold per capita, 3,101 cubic feet; gas sold per consumer, 22,309 cubic feet; gas sold per mile of main, 2,846,762 cubic feet. Number of consumers per mile of main, 128. Residuals: coke, 12,006 net tons; tar, 211,090 gallons; ammoniacal liquor, 106,047 pounds.

Operating data — Electric.—Gross earnings from operation, \$579,331.29; operating expenses, \$272,617.73. Total amount of electricity generated, 11,802,955 kw. h.; amount sold, 10,717,305 kw. h.; amount unaccounted for, 1,085,650 kw. h.; equals 9.2 per cent. Connected load, street lights, 810 kw.; commercial lights, 3,300 kw.; power, 850 kw.; total, 4,960 kw. Meters, 121,727 amperes; service transformers, 3,838.8 kw. capacity. Electricity generated by steam power. Boiler, h. p., 6,030; engine, h. p., 9,100; generator capacity, 4,960 kw.

Rates charged — Gas.—For commercial service, lighting and fuel: \$1.20 gross, \$1 net. For public buildings, \$1.

Rates charged — Electric.—For commercial service: 12c. per kw. h.; discount, 2c.; minimum, \$1 per month; discount, 16c. Rates for metered power service, based on average load of motor (25 kw. h. to the h. p.), 10c. per kw. h. (determining also the

minimum charge per month; discount, 2c. per kw. h.; all over and above, 25 kw. h. used, 5c. per kw. h.; discount, 1c. per kw. h. For public service in Syracuse, arc street lighting: number of arc lamps open, 1,353; c. p., 2,000; schedule, all night, 4,000 hours per year; price per lamp per night, \$0.1863.

Remarks.—For further rates charged for public service, see East Syracuse, Eastwood, Liverpool and Fayetteville.

TANNERSVILLE.

Schoharie Light and Power Company; supplies electricity; also supplies village and town of Hunter; population of Tannersville, 589; of Hunter, 524; total population supplied, about 3,000.

Financial data.—Capitalization: common stock, \$40,000; bonds outstanding, \$40,000; interest, 6 per cent; amount, \$2,400. Dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$5,667.59; operating expenses, \$3,163.78. Total amount of electricity generated, 80,646 kw. h.; amount sold, 70,127 kw. h.; amount unaccounted for, 10,519 kw. h., equals 13 per cent. Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by water power and oil engine. Engine, h. p., 125; water wheel, h. p., 250; generator capacity, 180 kw.

Rates charged.—For commercial service, flat rates: incandescent service, \$1.40 per month per 32 c. p. l.; \$1, 25 c. p. l.; 70c., 16 c. p. l.; 50c., 10 c. p. l.; and 40c., 8 c. p. l.; sleeping rooms, store rooms and cellar lights, half rates; discounts, 5 per cent. to 30 per cent.; maximum discount for summer lights, 25 per cent. Rates for metered arc and incandescent service, 15c. per kw. h.; discount, 5 per cent. to 60 per cent.; maximum discount for summer lights, 45 per cent. For public service, incandescent street lighting: number of incandescent street lamps, 53; c. p., 32; schedule, all night; price per lamp per annum, \$15.

Remarks.—Plant and records destroyed by fire, August 17, 1906.

TARRYTOWN.

(Population, 5,370.)

Westchester Lighting Company; supplies water gas and electricity.

Rates charged—Gas.—For commercial service: lighting, \$1.50; fuel, \$1.50 gross; \$1.25 net.

Rates charged—Electric.—For commercial service: rates for metered arc and incandescent service, 20c. per kw. h.; discounts, 10 per cent., 15 per cent. and 20 per cent.; rates for metered power service, 10c. per kw. h.; discounts, 10 per cent. to 60 per cent. For public service: arc street lighting, number of arc lamps, enclosed, 27; c. p., 1,200; New York city schedule; 3,950 hours per year; price per lamp per annum, \$100. Incandescent street lighting: number of incandescent street lamps, 253; c. p., 25; New York city schedule; 3,950 hours per year; price per lamp per annum, \$25.

Remarks.—For financial and operating data, see Mount Vernon.

THERESA.

(Population, 892.)

Theresa Electric Light Company, partnership; supplies electricity. Motive power, water. Construction and equipment (n. r.). Number of consumers, 82.

Rates charged.—Commercial service: lighting, flat rates, \$3.65 per lamp per year, meter rate, 12½c. per kw. h.

TICONDEROGA.

(Population, 1,759.)

Ticonderoga Electric Light and Power Company; supplies electricity; also supplies part of town of Ticonderoga.

Financial data.—Capitalization: common stock, \$15,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment, \$25,387.65; total assets, \$25,501.25. Liabilities: capital account, \$16,000; total (exclusive of profit and loss account), \$19,531.93. Profit and loss, surplus, \$5,969.32.

Operating data.—Gross earnings from operation, \$4,495; operating expenses, \$3,459.62. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, none; service transformers, 89 kw. capacity; current purchased; generator capacity, 137 kw.

Rates charged.—For commercial service (n. r.). For public service (n. r.).

TONAWANDA.

(Population, 7,904.)

Niagara Light, Heat and Power Company; kind of gas, coal; also natural; also supplies North Tonawanda, Kenmore and Litzville; population, 18,567.

Financial data.—Capitalization: common stock issued, \$249,500; bonds outstanding, \$600,000; interest, rate 5 per cent.; amount (n. r.); dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$578,262.66; total assets, \$709,175.67. Liabilities: capital account, \$600,000; total (exclusive of profit and loss account), \$674,469.64. Profit and loss, surplus, \$34,706.03. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data.—Gross earnings from operation, \$59,445.24; operating expenses, \$35,751.24. Gas produced, 65,644,700 cubic feet; coal gas sold, 57,255,900 cubic feet; natural gas sold, 32,330,200 cubic feet; gas used by company, 475,000 cubic feet; gas unaccounted for, 8,388,800 cubic feet; percentage of gas unaccounted for (n. r.). Number of meters in service, 1,740. Miles of main (n. r.). Gas sold per capita, 3,200 cubic feet; gas sold per consumer, 31,800 cubic feet; gas sold per mile of main (n. r.); number of consumers per mile of main (n. r.). Residuals: coke, 2,631 net tons; tar, 53,000 gallons.

Rates charged.—For commercial service: lighting, gross, \$1.70, net \$1.50; for fuel, \$1.20; minimum bill, 200 cubic feet or 30c. For public service, street lighting: number of lamps, 5; number of hours lighted during year, 4,000; price per lamp per year, free.

Tonawanda Power Company: supplies electricity; also supplies city of North Tonawanda and town of Tonawanda.

Financial data.—Capitalization: common stock, \$250,000; bonds, outstanding, \$210,000, interest on \$150,000 5 per cent., balance 6 per cent., amount \$12,600; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$477,311.62; total assets, \$573,528.80. Liabilities: capital account, \$460,000; total (exclusive of profit and loss account), \$506,108.82. Profit and loss, surplus, \$67,319.98.

Operating data.—Gross earnings from operation, \$101,954.40; operating expenses, \$61,268.10. Total amount of electricity purchased, 9,682,733 kw. h.; amount sold, 8,237,247 kw. h.; amount unaccounted for, 1,445,486 kw. h., equals 14 per cent. Connected load, street lights, 147 kw.; connected load, commercial lights, 676 kw.; power, 2,080 kw.; total, 2,903 kw. Meters, 6,622 amperes; service transformers, 396 kw. capacity. Current purchased.

Rates charged.—For commercial service, flat rates: arc service, 25c. per night per lamp; discount, 10 per cent.; incandescent service, 75c. per month per 16 c. p. l.; discount, 10 per cent. Rate for metered arc and incandescent service, 10c. per kw. h.; discount, 10 per cent.; minimum, \$1 per month; also sliding scale rate, 12c. to 6c. per kw. h.; discount, 10 per cent. Rates for metered power service: \$0.02 to \$0.0066 per kw. h.; discount, 8 per cent.; minimum, \$1; also $\frac{1}{2}$ and 1 h. p. motors, \$1 and \$2 per month. For public service in Tonawanda, arc street lighting: number of arc lamps enclosed, 130; c. p., 1,200; schedule, all night; 4,000 hours per year; price per lamp per annum, \$70; incandescent street lighting: number of incandescent street lamps, 50; c. p., 32; schedule, all night; 4,000 hours per year; price per lamp per annum, \$20.

Remarks.—For further rates charged for public service, see North Tonawanda.

TRENTON.

(Population, 317.)

Utica Gas and Electric Company; supplies electricity.

Rates charged — Electric.—For public service, arc street lighting: number of 6.6 ampere arc lamps enclosed, 9; schedule, every night until 1 o'clock; 2,555 hours per year; price per lamp per year, \$50.35.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Utica.

TROY.

(Population, 76,910.)

Troy Gas Company; supplies water gas in city of Troy and village of Waterford, and electricity in city of Troy, excluding old village of Lansinburgh; total population, 79,000.

Financial data.—Capitalization: common stock issued, \$1,000,000; bonds outstanding, \$900,000; interest, rate 5 and 6 per cent.; amount, \$50,000; dividends, rate, 8 per cent.; amount, \$80,000; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$1,371,000; electric, \$417,985.26; total assets, \$2,181,119.82. Liabilities: capital account, \$1,900,000; total (exclusive of profit and loss account), \$2,160,916.69. Profit and loss, surplus, \$20,203.13. Capitalization per mile of main (n. r.); construction account per mile of main, \$20,132.

Operating data — Gas.— Gross earnings from operation, \$303,050.40; operating expenses, \$160,793.08. Gas produced, 280,115,000 cubic feet; gas sold, 248,642,500 cubic feet; gas used by company (n. r.); gas unaccounted for, 27,520,500 cubic feet; percentage of gas unaccounted for, 9.8. Number of meters in service, 9,133. Miles of main, 68 miles, 340 feet. Gas sold per capita, 3,157 cubic feet; gas sold per consumer, 31,578 cubic feet; gas sold per mile of main, 3,715,000 cubic feet. Number of consumers per mile of main, 117.

Operating data — Electric.— Gross earnings from operation, \$148,771.90; operating expenses, \$75,197.69; total amount of electricity generated, 2,977,170 kw. h.; amount sold, 2,302,000 kw. h.; amount unaccounted for, 675,170 kw. h.; equal 22.6 per cent. Connected load, street lights, 240 kw.; commercial lights, 936 kw.; power, 220 kw.; total, 1,396 kw. Meters, 16,775 amperes; service transformers, 1,159.5 kw. capacity. Electricity generated by steam power, and current purchased. Boiler, h. p., 1,250; engine, h. p., 1,500; generator capacity, 2,064 kw.

Rates charged — Gas.— For commercial service: lighting, \$1.25; fuel, \$1; power and fuel, \$1. June 1, 1906, a reduction of 5c. per 1,000 was made to consumers, and 10c. to city of Troy. For public service: number of street lamps, 199; 4,000 hours per year; price per lamp per annum, \$27.42. Lighting and extinguishing done by the company.

Rates charged — Electric.— For commercial service, flat rates: arc service, 40c. to 29c. per 2,000 c. p. lamp per night; rates for metered arc and incandescent service, 15c. to 4½c. per kw. h.; rates for metered power service, 15c. to 4c. per kw. h. For public service, arc street lighting: number of arc lamps, open, 461; enclosed, 6; c. p., 2,000 and 1,000; schedule, all night; 4,000 hours per year; price per lamp per night, 26c.

The Beacon Electric Company of Lansingburg, N. Y.; supplies electricity; supplies three northern wards of Troy and village of Waterford. Total population, 16,000.

Financial data.— Capitalization: common stock, \$100,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$134,933; total assets, \$186,407.53. Liabilities: capital account, \$100,000; total (exclusive of profit and loss account), \$108,809.52. Profit and loss, surplus, \$77,598.01.

Operating data.— Gross earnings from operation, \$40,646.65;

operating expenses, \$34,849.88. Total amount of electricity generated, 790,949 kw. h.; amount sold, 521,560 kw. h.; amount unaccounted for, 269,389 kw. h., equals 50 per cent. Connected load, street lights, 110 kw.; connected load, commercial lights and power, 275 kw.; total, 385 kw. Meters, 8,405 amperes; service transformers, 275 kw. capacity. Electricity generated by steam power. Boiler, h. p., 750; engine, h. p., 700; generator capacity, 255 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, 10c. per kw. h.; rates for metered power service, 10c. to 2½c. per kw. h. For public service in Troy, arc street lighting: number of arc lamps, open, 178; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per night, 26c. (\$94.90 per annum).

Remarks.—For further rates charged for public service, see Waterford.

TRUMANSBURG.

(Population, 1,202.)

Trumansburg Electric Company; supplies electricity.

Financial data. Capitalization: common stock, \$10,000; bonds, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—This plant ceased operations May 1, 1906. Gross earnings from operation to that date, \$3,000; operating expenses, \$2,812. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by steam power. Boiler, h. p., 70; engine, h. p., 125; generator capacity, 60 kw.

Rates charged.—For commercial service (n. r.). For public service (n. r.).

TUCKAHOE.

(Population, 1,580.)

Westchester Lighting Company; supplies water gas and electricity.

Rates charged—Gas.—For commercial service: lighting and fuel, \$1.60.

Rates charged—Electric.—For public service, arc street lighting: number of arc lamps, enclosed, 4; c. p., 1,200; New York city schedule; 3,950 hours per year; price per lamp per annum, \$15. Incandescent street lighting: number of incandescent street

lamps, 272; c. p., 25; New York city schedule; 3,950 hours per year; price per lamp per annum, \$22.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

TULLY.

(Population, 546.)

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation, 1896.

Financial data.—Total assessed valuation of real estate in village, \$186,642; bonds, authorized, \$8,000; issued, \$8,000; interest, rate, 4 per cent. Appropriation since June 30, 1905, for street lighting, \$3,300. Construction and equipment (n. r.).

Operating data.—Gross earnings from operation (n. r.); operating expenses, \$2,636.54; net income (n. r.). Total kw. h. sold (n. r.); number of consumers, 75.

Rates charged.—For commercial service, lighting, 12c. per kw. h., with discounts ranging from 5 to 50 per cent., according to size of bill.

TUXEDO PARK.

Tuxedo Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$69,000; preferred stock, \$25,000; bonds, none; dividends, rate on common stock, 20 per cent.; amount, \$13,800; on preferred stock, 6 per cent.; amount, \$15,000; balance sheet, June 30, 1906. Assets: construction and equipment account, \$134,314.74; total assets, \$146,492.28. Liabilities: capital account, \$94,000; total (exclusive of profit and loss account), \$614,710. Profit and loss, surplus, \$5,782.28.

Operating data.—Gross earnings from operation, \$38,308.35; operating expenses, \$18,251.75. Total amount of electricity generated (n. r.); amount sold, 191,541 kw. h. Connected load, commercial lights, 500 kw.; power, 5 kw.; total, 505 kw. Meters, 3,879 amperes; service transformers, 437.5 kw. capacity. Electricity generated by steam and water power. Boiler, h. p., 450; engine, h. p., 450; generator capacity, 375 kw.

Rates charged.—For commercial service: rates for metered incandescent service, 20c. per kw. h.; discounts, 10 per cent. to 35 per cent.; rates for power service, 20c. per kw. h.; discounts, 25 per cent. to 40 per cent. No public service.

UNADILLA.

(Population, 1,142.)

Standard Light, Heat and Power Company; supplies electricity; also supplies Bainbridge and Sidney.

Financial data.—Capitalization: common stock, \$60,000; bonds outstanding, \$71,500; interest on \$34,000, .4 per cent., balance 6 per cent., amount \$3,633.16; dividends, 1 per cent., amount \$600; balance sheet June 30, 1906. Assets, construction and equipment account \$48,978.79; paper mill property, \$72,418.92; total assets, \$146,609.42. Liabilities, capital account \$130,500; total (exclusive of profit and loss account), \$142,719.63. Profit and loss surplus, \$3,889.79.

Operating data.—Gross earnings from operation, \$17,362.08; operating expenses, \$8,633.92. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 38 kw., connected load, commercial lights, 292 kw.; power, 82 kw.; total, 412 kw. Meters, 1,990 amperes; service transformers, 281.6 kw. capacity. Electricity generated by water and steam power. Boiler h. p. 300; engine h. p. 410; water wheel h. p. 429; generator capacity 400 kw.

Rates charged.—For commercial service: rates for metered arc and incandescent service, residences, 12c. per kw. h.; business places, 20c. to 6c. per kw. h.; minimum, \$1 per month; rates for power, \$30 per h. p. For public service in Unadilla, arc street lighting: number of arc lamps, enclosed, 25, c. p. 2,700; schedule, from twilight to 1 a. m.; price per lamp per annum \$70; one lamp, free.

Remarks. For further rates charged for public service, see Bainbridge and Sidney.

UNION SPRINGS.

(Population, 890.)

Union Springs Gas Company; name of owner Mrs. H. Woodworth; supplies acetylene gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Construction and equipment, \$4,000. Gas sold, 150,000 cubic feet.

Rates charged.—For commercial service, \$12.50.

UPPER NYACK.

(Population, 648.)

Nyack Gas Light and Fuel Company; kind of gas, water.

Remarks.— For financial and operating data and rates charged, see Nyack.

Rockland Light and Power Company; supplies electricity.

Rates charged.— For public service, arc street lighting: number of arc lamps enclosed, 15 c. p. 2,000; schedule, all night, every night; 4,000 hours per year. Price per lamp per annum \$105.

Remarks.— For financial and operating data and rates charged for commercial service, see Nyack.

UTICA.

(Population, 62,934.)

Utica Gas and Electric Company; supplies water gas and electricity in Utica, New Hartford, New York Mills, and Yorkville; electricity in Trenton, Oriskany, Deerfield, Washington Mills, Willowvale, Whitesboro and Chadwicks; also electricity in bulk to Little Falls, Frankfort and Rome.

Financial data.— Capitalization: common stock issued, \$2,000,000; bonds outstanding, \$2,000,000; interest, rate 5 and 6 per cent.; amount, \$101,500; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account; gas, \$2,081,809.29; electric, \$2,975,330.67; total assets, \$5,282,329.58. Liabilities: capital account, \$4,000,000; total (exclusive of profit and loss account), \$5,179,456.32. Profit and loss, surplus, \$102,873.26. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data — Gas.— Gross earnings from operation, \$200,088.55; operating expenses, \$108,930.77. Gas produced, 195,981,000 cubic feet; gas sold, 166,580,600 cubic feet; gas used by company, 789,700 cubic feet; gas unaccounted for, 28,667,700 cubic feet; percentage of gas unaccounted for, 14.61. Number of meters in service (n. r.). Miles of main, (n. r.). Gas sold per capita, 2,660 cubic feet; gas sold per consumer, 19,700 cubic feet; gas sold per mile of main (n. r.); number of consumers per mile of main (n. r.).

Operating data — Electric.— Gross earnings from operation, \$375,218.61; operating expenses, \$139,798.79. Total amount of electricity generated, 14,730,207 kw. h.; amount sold, 9,616,885

kw. h.; amount unaccounted for, 5,113,322 kw. h., equal 34.7 per cent. Connected load, street lights, 896 kw.; commercial lights, 3,200 kw.; power, 4,060 kw.; total, 8,156 kw.; meters (n. r.); service transformers (n. r.). Electricity generated by water and steam power. Boiler, h. p., 4,170; engine, h. p., 700; water wheels, h. p., 8,330; generator capacity, 9,604 kw.

Rates charged — Gas.— For commercial service: lighting, \$1.40 gross, \$1.30 net; fuel, \$1.10 gross, \$1 net. No public service.

Rates charged — Electric.— For commercial service: rates for metered arc and incandescent service, 15c. per kw. h.; discount, 33 $\frac{1}{3}$ per cent.; minimum, \$1 per month; rates for metered power service, 4 $\frac{1}{2}$ c. to 1 $\frac{1}{2}$ c. per h. p., hour. For public service in Utica, arc street lighting: number of 6.6 ampere arc lamps, enclosed, 769; schedule, all night, every night; 4,000 hours per year; price per lamp per night, 30c.

Remarks.— For further rates charged for public service, see Whitesboro, New Hartford, Yorkville, Trenton, Lighting District No. 1, Whitestown, and Lighting Districts Nos. 1 and 2 and Separate Road District of New Hartford.

VALATIE.

(Population, 1,231.)

Albany and Hudson Railroad Company; supplies electricity.

Rates charged — Electric.— For public service: incandescent street lighting, number of incandescent street lamps, 81; c. p., 25; schedule, moonlight, midnight; 1,638 hours per year; price per lamp per annum, \$9.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Rensselaer.

VALLEY STREAM.

Queens Borough Gas and Electric Company; supplies electricity.

Rates charged — Electric.— For commercial service, same rate as charged by this company in borough of Queens. See New York city, borough of Queens.

Remarks.— For financial and operating data and rates charged for electric service, see New York city, borough of Queens.

VAN CORTLANDT.

Westchester Lighting Company; supplies water gas.

Remarks.— For financial and operating data and rates charged for gas service, see Mount Vernon.

VERNON.

(Population, 430.)

Individual plant; name of owner, Nathan A. Tyler; supplies electricity; motive power, water. Construction and equipment (n. r.). Number of consumers, 17.

Rates charged.—Commercial service lighting, flat rate: 40c. per month per 16 c. p. light. Public service: street lighting, 97c. per light per month.

VICTORY MILLS.

(Population, 500.)

Consolidated Electric Company; supplies electricity.

Rates charged.—For public service: arc street lighting, number of arc lamps, open, 12; c. p., 2,000; schedule, moonlight; price per lamp per annum, \$50.

Remarks.—For financial and operating data and rates charged for commercial service, see Greenwich.

WADHAMS.

Wadhams and Westport Electric Light and Power Company; name of owner, Daniel F. Payne; supplies electricity; also supplies Westport. Total population, 900. Motive power, water. Construction and equipment (n. r.). Number of consumers, 50.

Rates charged.—Commercial service, lighting, flat rate: 50c. per month per 16 c. p. lamp. Meter rate, 10c. per kw. h. Public service: incandescent street lighting, 75c. per lamp per month. Power service, \$40 per h. p. per year.

WAKEFIELD.

Westchester Lighting Company; supplies water gas and electricity.

Remarks.—For financial and operating data and rates charged for gas and electric service, see Mount Vernon.

WALDEN.

(Population, 3,737.)

Wallkill Valley Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$3,330; bonds outstanding, \$9,000; interest, 6 per cent.; amount, \$540; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$20,000; total assets, \$23,519.40. Liabilities: capital account, \$12,330; total (exclusive of profit and loss account), \$20,607.64. Profit and loss, surplus, \$2,911.76.

Operating data.—Gross earnings from operation, \$7,779.54; operating expenses, \$6,722.66. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.); power (n. r.). Meters, 1,590 amperes; service transformers, 349 kw. capacity. Electricity generated by steam power. Boiler, h. p., 250; engine, h. p., 200; generator capacity, 135 kw.

Rates charged—Electric.—For commercial service, flat rates: incandescent service, 5 lights or less, 75c. per month per lamp. Rates for metered arc and incandescent service, 12c. per kw. h.; discounts, 10 per cent. to consumers of 100 kw. h. per month; 17 per cent. to consumers of 200 kw. h. per month. For public service, arc street lighting: number of arc lamps, enclosed, 5; schedule, every night, from starting time to 1 A. M.; number of hours per year, 2,340; price per lamp per annum, \$80. Incandescent street lighting: number of incandescent street lamps, 101; c. p., 20; schedule, every night when needed, from time of starting to 1 A. M.; number of hours per year, 1,950; price per lamp per annum, \$13.44.

WALTON.

(Population, 2,911.)

Walton Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$20,000; bonds outstanding, \$15,000; interest, 6 per cent.; amount, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$6,486; operating expenses, \$6,299. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights, 100 kw. Meters, 760 amperes; service transformers, 67 kw. capacity. Electricity generated by steam power. Boiler, h. p., 240; engine, h. p., 216; generator capacity, 120 kw.

Rates charged—Electric.— For commercial service, flat rates: incandescent service, \$1 per month per lamp; rate for metered arc and incandescent service, 15c. per kw. h. For public service, incandescent street lighting: number of incandescent street lamps, 123; c. p., 25; schedule, moonlight; price per lamp. per annum, \$15.

WAPPINGERS FALLS.

(Population, 3,588.)

Individual plant; name of owner, Franklindale Company (Garner & Co.); supplies coal gas. Construction and equipment, \$30,000.

(No report has been received from this company.)

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation, 1900.

Financial data.— Total assessed valuation of real estate in village, \$985,250; bonds, authorized, \$15,000; issued, \$15,000; interest, rate $3\frac{1}{4}$ per cent. Appropriation since June 30, 1905, for street lighting, \$2,800. Construction and equipment (n. r.)

Operating data.— Gross earnings from operation, \$2,864.82; operating expenses, \$6,032.64; net income (n. r.). Total kw. h. sold, 27,000. Number of consumers, 85.

Rates charged.— For commercial service: lighting, base rate, 15c. per kw. h. for 10 kw. h. or less per month. From 10 to 20 kw. h., 10 per cent. discount; from 20 to 40 kw. h., 20 per cent. discount; from 40 to 60 kw. h., 25 per cent. discount; over 60 kw. h., 30 per cent. discount.

WARRENSBURGH.

(Population, 2,500.)

Warrensburgh Electric Light Works; name of owner, John G. Smith; supplies electricity; motive power, water.

Financial data.— Construction and equipment (n. r.). Number of consumers, 75.

Rates charged.— Commercial service, lighting, flat rate: from \$5 to \$2 per 16 c. p. l. per year; public service: incandescent street lighting, \$12 per 25 c. p. l. per year.

WARSAW.

(Population, 3,500.)

Warsaw Gas and Electric Company; supplies water gas and electricity.

Financial data.—Capitalization: common stock issued, \$50,000; bonds outstanding, none; dividends, rate 5 per cent.; amount, \$2,500; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$18,381.56; electric, \$31,097.97; total assets, \$57,317.88. Liabilities: capital account, \$50,000; total (exclusive of profit and loss account), \$50,000. Profit and loss, surplus, \$7,317.88. Capitalization per mile of main, \$2,272; construction account per mile of main, \$8,322.

Operating data—Gas.—Gross earnings from operation, \$2,900.35; operating expenses, \$1,003.39. Gas produced (n. r.); gas sold, 1,500,000 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.). Number of meters in service, 156. Miles of main, 2 miles, 1,432 feet. Gas sold per capita, 500 cubic feet; gas sold per consumer, 11,194 cubic feet; gas sold per mile of main, 660,000 cubic feet; number of consumers per mile of main, 59.

Operating data—Electric.—Gross earnings from operation, \$10,096.93; operating expenses, \$5,231.49; total amount of electricity generated, 95,430 kw. h.; amount sold, 54,157 kw. h.; amount unaccounted for, 41,273 kw. h., equals 43 per cent. Connected load, street lights, 17 kw.; commercial lights, 2,240 kw.; power, none; total, 2,257 kw.; meters, 1,700 amperes; service transformers, 143 kw. capacity. Electricity generated by steam power. Boiler, h. p., 225; engine, h. p., 265; generator capacity, 150 kw.

Rates charged—Gas.—For commercial service: lighting, \$2.30 gross, \$2.20 net; fuel, \$1.50 gross, \$1.40 net. No public service.

Rates charged—Electric.—For commercial service, flat rates: arc service, \$6.25 per lamp per month net; incandescent service: no regular schedule, rate made according to time used; minimum charge 50c. per month; rates for metered arc and incandescent service, 15c. to 8c. per kw. h., discount, 5 per cent.; for public service, arc street lighting: number of arc lamps, enclosed, 32; c. p., 2,000; schedule, moonlight, 1,600 hours per year; price per lamp per annum, \$75; incandescent street lighting. Number of incandescent street lamps, 32; c. p., 25; schedule, moonlight; 1,600 hours per year; price per lamp per annum, \$15.84.

WARWICK.

(Population, 1,767.)

Warwick Valley Light and Power Company; supplies electricity.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$35,000; bonds outstanding, \$11,000; dividends, none.

Operating data.—Electricity generated by steam power.

Rates charged.—For commercial service: rates for metered incandescent service, 20c. to 15c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 6; c. p., 1,200; about 2,900 hours per year; price per lamp per annum, \$90; incandescent street lighting; number of incandescent street lamps, 97; c. p., 20; about 2,900 hours per year; price per lamp per annum, \$15.

WASHINGTON MILLS.

Utica Gas and Electric Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Utica, and town of New Hartford.

WATERFORD

(Population, 3,134.)

(North Side).

Cohoes Gas Light Company; supplies water gas and electricity; population of North Side, 2,500.

Rates charged—Gas.—For commercial service, same as charged by this company in Cohoes. See Cohoes.

Rates charged—Electric.—For public service: incandescent street lighting, number of incandescent street lamps, 50; c. p., 32; schedule, all night, every night; 4,015 hours per year; price per lamp per annum, \$18.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Cohoes.

The Beacon Electric Company of Lansingburgh, N. Y.; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lamps, open, 42; c. p.; 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per night, 26c. (\$94.90 per annum.)

Remarks.—For financial and operating data and rates charged for commercial service, see Troy.

Waterford Electric Light, Heat and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$500,000; bonds outstanding, \$500,000; interest, 5 per cent.; amount, none; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.—Gross earnings from operation, \$3,683.11; operating expenses, \$3,683.11. Amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load, commercial lights (n. r.). Meters (n. r.); transformers (n. r.). Current purchased and supplied to village for public lighting.

Rates charged.—For public service: number of arc lamps, open, 42; c. p., 2,000; schedule, one-half hour after sundown to one-half hour before sunrise; price per lamp per annum, \$95.

Remarks.—Company owns no electric plant.

WATERLOO.

(Population, 4,123.)

Seneca Falls and Waterloo Gas Light Company; kind of gas, coal.

Remarks.—For financial and operating data and rates charged, see Seneca Falls.

Seneca Edison Company; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lamps, open, 58, of 9.6 amperes; schedule, moonlight, dusk to 12 midnight; price per lamp per annum, \$60. Incandescent street lighting: number of incandescent street lamps, 2; c. p., 32; schedule, moonlight, dusk to 12 midnight; price per lamp per annum, \$16.25.

Remarks.—For financial and operating data and rates charged, for commercial service, see Seneca Falls.

WATER MILL.

(Population, 300.)

Suffolk Light, Heat and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged, see Southampton.

WATERTOWN.

(Population, 25,447.)

Watertown Gas Light Company; kind of gas, mixed coal and water.

Financial data.—Capitalization: common stock issued, \$100,000; bonds outstanding, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$608,073.25; total assets, \$653,676.82. Liabilities: capital account, \$100,000; total (exclusive of profit and loss account), \$574,024.79. Profit and loss, surplus, \$79,652.03. Capitalization per mile of main, \$3,077; construction account per mile of main, \$18,764.

Operating data.—Gross earnings from operation, \$108,106.60; operating expenses, \$83,547.46. Gas produced, 66,468,400 cubic feet; gas sold, 61,203,000 cubic feet; gas used by company, 1,308,100 cubic feet; gas unaccounted for 31,439,000 cubic feet; percentage of gas unaccounted for, 5.1. Number of meters in service, 1,723. Miles of main, 32 miles, 2,552 feet. Gas sold per capita, 2,350 cubic feet; gas sold per consumer, 16,700 cubic feet; gas sold per mile of main, 1,900,000 cubic feet; number of consumers per mile of main, 114; residuals: coke, 3,906 net tons; tar, 48,012 gallons.

Rates charged.—For commercial service: lighting, \$1.60, \$1.50 net; fuel, \$1.60 gross. For public service: lighting public buildings, \$1.50; street lighting, number of lamps, 30; number of hours lighted during year, 3,987; price per lamp per year, \$36.50.

Watertown Electric Light Company; supplies electricity.

Financial data.—Capitalization: common stock, \$15,000; bonds and mortgages outstanding, \$58,000; interest on real estate mortgages and floating debt, \$7,132.37; dividends, rate 10 per cent.; amount, \$1,500; balance sheet, June 30, 1906. Assets: construction and equipment account, \$292,736.24; total assets, \$301,342.34. Liabilities: capital account, \$73,000; total (exclusive of profit and loss account), \$110,695.73. Profit and loss, surplus, \$190,646.61.

Operating data.—Gross earnings from operation, \$68,306.16; operating expenses, \$35,865.73. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); connected load,

commercial lights (n. r.); power (n. r.). Meters (n. r.); service transformers (n. r.). Electricity generated by water and steam power. Boiler, h. p., 300; engine, h. p., 400; water wheel, h. p., 1,500; generator capacity, 589 kw.

Rates charged.—For commercial service, flat rates: arc service, \$5 per month per lamp, 25c. per night for occasional use; incandescent service, 2½c. per night per lamp. Rates for metered arc and incandescent service: business places, 12½c. per kw. h.; residences, 15c. per kw. h.; commercial and municipal service, 10c. per kw. h. Rates for power from \$1.25 per month for one-eighth h. p. to \$34 per month for 7½ h. p. for continuous service; for intermittent service, 25 per cent. discount; large users, \$50 per year per h. p. For public service, arc street lighting: number of arc lamps, open, 222; c. p., 2,000; schedule, all night, every night; 4,000 hours per year; price per lamp per annum, \$73.

WATERVILLE.

(Population, 2,000.)

The Waterville Gas and Electric Company; supplies water gas and electricity.

Financial data.—Capitalization: common stock issued, \$19,100; bonds outstanding, \$5,000; interest, rate 6 per cent.; amount (n. r.); dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, gas, \$2,623.39; electric, \$34,303.07; total assets, \$36,926.46. Liabilities: capital account, \$24,100; total (exclusive of profit and loss account), \$29,496.43. Profit and loss, surplus, \$7,430.03. Capitalization per mile of main (n. r.); construction account per mile of main (n. r.).

Operating data—Gas.—Gross earnings from operation, \$8,415.80; operating expenses, \$8,120.82. Gas produced, 1,600,000 cubic feet; gas sold, 1,600,000 cubic feet; gas used by company (n. r.); gas unaccounted for (n. r.); percentage of gas unaccounted for (n. r.). Number of meters in service, 150. Miles of main, 2 miles, 4,374 feet. Gas sold per capita, 800 cubic feet; gas sold per consumer, 8,000 cubic feet; gas sold per mile of main, 571,428 cubic feet; number of consumers per mile of main, 71.

Operating data—Electric.—Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights (n. r.); commercial lights (n. r.); power (n. r.). Meters, 720 amperes; service transformers, 90 kw. capacity. Electricity generated by steam power. Boiler, h. p., 225; engine, h. p., 170; generator capacity, 940 kw.

Rates charged — Gas.— For commercial service: lighting, \$2; fuel, \$1.50. No public service.

Rates charged — Electric.— For commercial service, flat rates: incandescent service, 20c. per lamp per month when used in barns or cellars. Rates for metered arc and incandescent service, 12c. per kw. h. For public service, arc street lighting: number of arc lamps, enclosed, 43; c. p., 2,000; schedule, sundown to 1 A. M.; price per lamp per annum, \$70.

Remarks.— Gross earnings from operation and operating expenses, gas, include electric.

WATERVLIET.

(Population, 14,600.)

Municipal Gas Company (Albany); supplies electricity.

Remarks.— For financial and operating data and rates charged, see Albany.

Hudson River Electric Company; supplies electricity.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Rates charged.— For commercial service: rates for metered arc and incandescent service, 12½c. per kw. h.

Remarks.— For financial and operating data of this company, see Glens Falls.

Supplied by municipal electric plant; service furnished, public only.

(No report having been received from this plant, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.— Bonds, none; construction and equipment, \$16,250.

Operating data.— Electricity generated by steam power.

Rates charged.— Public service, arc street lighting: number of arc lamps, open, 215; c. p., 2,000; number of hours per year, 4,155; incandescent lighting, public buildings: number of incandescent lamps, 400; c. p., 32; number of hours per year, 4,155.

WATKINS.

(Population, 2,957.)

The Consumers' Natural Gas Company; supplies natural gas.

Financial data.— Capitalization: common stock issued, \$20,000; bonds outstanding, \$25,000; interest, rate 6 per cent.; amount, \$1,500; dividends, none.

Operating data.—Gross earnings from operation, \$3,891.04; operating expenses, \$4,809.40; number of wells operating, 7. Gas sold, 9,650,000 cubic feet. Miles of main, 5 miles, 5,169 feet.

Rates charged.—For commercial service: lighting and fuel, 50c. for first 10,000 cubic feet per month; 40c. for over 10,000 and less than 15,000; 30c. for over 15,000 with discount of 10 per cent. Minimum rate, 25c. per month.

Supplied by municipal electric plant; service furnished (n. r.).

(No report has been received from this plant.)

WAVERLY.

(Population, 4,916.)

The Gas Light Company of Waverly; kind of gas, water.

Financial data.—Capitalization: common stock issued, \$150,000; bonds outstanding, \$150,000; interest, rate 5 per cent.; amount (n. r.); dividends, none; balance sheet, June 30, 1906. Capitalization per mile of main, etc. (n. r.).

Operating data.—Gross earnings from operation (n. r.); operating expenses (n. r.). Gas produced (n. r.); gas sold (n. r.). Number of meters (n. r.). Miles of main (n. r.).

Rates charged.—For commercial service: lighting, \$1.50; fuel, \$1.25.

The Waverly Electric Light and Power Company; Sayre and Athens also supplied from same plant.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$60,000; bonds outstanding, \$40,000; dividends, none.

Operating data.—Electricity generated by steam power.

Rates charged.—For commercial service: rates charged for metered arc service, 10c. per kw. h.; rates charged for metered incandescent service, business places, 10c. per kw.; residences, 15c. per kw. h.; rates charged for metered power service, 7c. to 3½c. per kw. h. For public service in Waverly, arc street lighting: number of arc lamps, enclosed, 32; c. p., 1,200; schedule, all night, every night; price per lamp per annum, \$68; incandescent street lighting: number of incandescent street lamps, 50; c. p., 50; schedule, all night, every night; price per lamp per annum, \$30.

Remarks.—For further rates charged for public service in Sayre and Athens, Pennsylvania, see first annual report of Commission.

WAYLAND.

(Population, 2,984.)

Wayland Electric Light and Power Company; name of owner, John Kimmel; supplies electricity; motive power.

Financial data.— Construction and equipment (n. r.).

Operating data.— Number of consumers (n. r.).

Rates charged.— For commercial service: meter rate, from 15c. to 10c. per kw. h.

WEBSTER.

(Population, 1,500.)

Rush's Acetylene Town Plant; J. K. Rush, president; supplies acetylene gas.

Financial data.— Construction and equipment (n. r.).

Operating data.— Number of cubic feet sold (n. r.).

Rates charged.— (n. r.).

WEEDSPORT.

(Population, 1,495.)

Weedsport Electric Light Company; supplies electricity.

Financial data.— Capitalization: common stock, \$15,000; bond and mortgage, \$7,000; interest, 6 per cent.; amount, \$420; dividends, none; balance sheet, June 30, 1906 (n. r.).

Operating data.— Gross earnings from operation, \$5,772; operating expenses, \$3,397. Total amount of electricity generated, 53,288 kw. h.; amount sold, 47,921 kw. h.; amount unaccounted for, 5,367 kw. h., equals 13 per cent. Connected load, street lights, 13.6 kw.; connected load, commercial lights, 100 kw.; total, 113.6 kw. Meters, 860 amperes; service transformers, 61.3 kw. capacity. Electricity generated by steam power. Boiler, h. p., 120; engine, h. p., 100; generator capacity, 67 kw.

Rates charged.— For commercial service, flat rates: incandescent service, minimum charge, \$9 per annum. Rate for metered incandescent service, 15c. per kw. h.; 5 per cent. discount; minimum, 75c. per month. For public service, arc street lighting: number of arc lamps, open, 40; c. p., 1,200; schedule, moonlight until 2 A. M.; about 1,900 hours per year; price per lamp per annum, \$60.

WELLSVILLE.

(Population, 4,355.)

Wellsville Electric Light, Heat and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$20,000; bonds, none; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$52,177.02; total assets, \$74,331.45. Liabilities: capital account, \$20,000; total (exclusive of profit and loss account), \$72,177.02. Profit and loss, surplus, \$2,154.43.

Operating data.—Gross earnings from operation, \$7,767.25; operating expenses, \$4,929.94. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, street lights, 35 kw.; connected load, commercial lights, 94; total, 129 kw. Meters, 1,546 amperes; service transformers, 158 kw. capacity. Steam power purchased. Engine, h. p., 310; generator capacity, 275.75 kw.

Rates charged.—For commercial service, flat rates: arc service, monthly rate, all night, \$10 net, 1 light; 2, \$9 net; 3 or more, \$8 net; 12 o'clock service, \$6 net, 1 light; 2 lights, \$5.50 net each; 3 or more, \$5 net per light; incandescent service: 70c. per month per 16 c. p. lamp, 10 o'clock service; 85c. 12 o'clock service; \$1.35 all night service, and graded prices according to c. p. of lamp up to 50 c. p.; \$1.50 10 o'clock service, \$1.75 12 o'clock service and \$2.50 all night service; discount, 10 per cent. Special rates: discounts, 5 per cent. to 20 per cent., according to amount of bill. Rates for metered arc and incandescent service, $\frac{1}{4}$ c. per ampere hour for not less than 10 lights of 16 c. p. or equivalent; minimum, \$24 per annum, net, to company. For public service, arc street lighting: number of arc lamps, enclosed, 29; c. p., 2,000; schedule, 12 hours; 4,380 hours per year; price per lamp per annum, \$80; incandescent street lighting: number of incandescent street lamps, 1; c. p., 32; schedule, 12 hours; 4,380 hours per year; price per lamp per annum, \$12.

Empire Gas and Fuel Company, Ltd.; supplies natural gas in Wellsville, Scio, Stanards, Alfred Station, Bolivar, Allentown, Richburg, Cuba and Almond; total population (n. r.).

Financial data.—Capitalization: common stock issued, \$1,000,000; bonds outstanding, \$400,000; interest, rate 6 per cent.; amount, \$9,750; dividends, none.

Operating data.—Gross earnings from operation, \$294,873.56; operating expenses, \$186,540.85; number of wells operating, 176; gas sold, 908,116,066 cubic feet. Miles of main, 182 miles, 2,822 feet.

Rates charged.—For commercial service: lighting and fuel, 27c., with discount of 2c. for prompt payment. Public service, street lighting, 25c. per month.

Remarks.—Gross earnings from operation and operating expenses represent gross earnings and operating expenses for both gas and oil.

Manufacturers' Gas Company; supplies natural gas to certain manufacturers in Wellsville.

Financial data.—Capitalization: common stock issued, \$60,000; bonds outstanding, none; dividends, none.

Operating data.—Gross earnings from operation, \$32,324.52; operating expenses, \$23,894.35. Number of wells operating, 17. Gas sold, 268,835,796 cubic feet. Miles of main, 14 miles, 470 feet.

Rates charged.—For commercial service: special rate made for power companies, 12c. net.

WEST ALBANY.

(Population, 500.)

Schenectady Illuminating Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial service, see Schenectady.

WEST BLOOMFIELD.

Ontario Gas Company; supplies natural gas.

Remarks.—For financial and operating data and rates charged, see Honeoye Falls.

WESTBURY.

Nassau Light and Power Company; supplies electricity.

Rates charged.—For public service, incandescent street lighting: number of incandescent street lamps, 37; c. p., 20; schedule, all night; 4,000 hours per year; price per lamp per annum, \$15.

Remarks.—For financial and operating data and rates charged for commercial service, see Roslyn.

WEST CARTHAGE.

(Population, 1,377.)

Carthage Electric Light and Power Company; supplies electricity.

Rates charged.—For public service, arc street lighting: number of arc lamps, enclosed, 19; c. p., 2,000; schedule, 1 A. M., moon-light nights out; price per lamp per year, \$60.

Remarks.— For financial and operating data and rates charged for commercial service, see Carthage.

WESTFIELD.

(Population, 2,800.)

Supplied by municipal electric plant; service furnished, public and commercial. Date of beginning operation, 1892.

Financial data.— Total assessed valuation of real estate in village, \$1,363,445; bonds authorized (n. r.); issued (n. r.). Appropriation since June 30, 1905, for street lighting (tax), \$6,520.06. Construction and equipment, \$12,000.

Operating data.— Gross earnings from operation, \$10,830; operating expenses, \$7,386.27; net income, \$3,443.73. Total kw. h. sold (n. r.). Number of consumers, 206.

Rates charged.— For commercial service: lighting, 10c. per kw. h. for residences; 7c. per kw. h. for business places.

WEST HAVERSTRAW.

(Population, 2,348.)

Rockland Light and Power Company; supplies electricity.

Rates charged.— For public service, incandescent street lighting: number of incandescent street lamps, 67; c. p., 25; 4,000 hours per year; price per lamp per annum, \$19.

Remarks.— For financial and operating data and rates charged for commercial service, see Nyack.

WEST NECK.

Huntington Light and Power Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Huntington.

WEST SAYVILLE.

The Sayville Electric Company; supplies electricity.

Remarks.— For financial and operating data and rates charged for commercial service, see Sayville.

WEST SENECA (Town).

(Population, 14,925.)

Buffalo General Electric Company; supplies electricity.

Rates charged.— For public service, arc street lighting: number of arc lamps, enclosed, 107; c. p., 2,000; schedule, all night; 4,000 hours per year; price per lamp per year, \$75.

Remarks.—For financial and operating data and rates charged for commercial service, see Buffalo.

WESTPORT.

(Population, 790.)

Wadhams and Westport Electric Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged, see Wadhams.

WEST WINFIELD.

(Population, 749.)

West Winfield Gas Company; supplies gasoline gas.

No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$3,000; bonds, none.

Operating data.—Gas sold, 600,000 cubic feet.

Rates charged.— n. r. .

WHEATLAND.

Scottsville Electric Light and Gas Company; supplies electricity.

Remarks.—For financial and operating data and rates charged, see Scottsville.

WHITEHALL.

(Population, 4377.)

Consolidated Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$36,000; bonds outstanding, \$36,000; interest, 5 per cent.; amount, \$1,800; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$91,524.65; total assets, \$134,297.39. Liabilities: capital account, \$111,000; total (exclusive of profit and loss account), \$125,904.23. Profit and loss, surplus, \$5,243.16.

Operating data.—Gross earnings from operation, \$14,250.82; operating expenses, \$11,805.89. Total amount of electricity generated, 326,700 kw. h.; amount sold, 227,445 kw. h.; amount unaccounted for, 99,255 kw. h.; equals 30 per cent. Connected

load: street lights, 28 kw.; connected load, commercial lights, 122 kw.; total, 150 kw. Meters, 2,205 amperes; service transformers, 175.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 300; engine, h. p., 350; generator capacity, 165 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 75c. per month per 16 c. p. l. Rates for metered arc and incandescent service, 15c. to 7½c. per kw. h.; minimum, \$1. For public service, arc street lighting: number of arc lamps, open, 26; c. p., 2,000; schedule, sunset to sunrise; 3,500 hours per year; price per lamp per annum, \$87.50; incandescent street lighting: number, of incandescent street lamps, 102; c. p., 25; schedule, sunset to sunrise; 3,500 hours per year; price per lamp per annum, \$22.50.

WHITNEYS POINT.

(Population, 749.)

The Union Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$18,500; bonds, none; dividends, none; balance sheet, June 30, 1906, (n. r.).

Operating data.—Gross earnings from operation, \$1,225; operating expenses, \$640. Total amount of electricity generated, 1,800 kw. h.; amount sold (n. r.). Connected load: commercial lights, 20 kw. Meters, 125 amperes; service transformers, 20 kw. capacity. Electricity generated by water power. Water wheel, h. p., 60; generator capacity, 25 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 50c. per month per 16 c. p. l. Rate for metered arc and incandescent service, 12c. to 6c. per kw. h.; minimum, \$1 per month. No public service.

WHITE PLAINS (town).

(Population, 12,129.)

Westchester Lighting Company; supplies water gas and electricity.

Rates charged — Gas.—For commercial service, lighting and fuel, \$1.40. Prior to April 1, 1906, lighting, \$1.50.

Rates charged — Electric.—For commercial service: rate for metered arc and incandescent service, 20c. per kw. h.; discounts, 10 per cent. to 15 per cent. Rate for metered power service, 10c. per kw. h.; discounts, 10 per cent. to 60 per cent. For public service, arc street lighting: number of arc lamps, enclosed, 34; c. p.,

Remarks.—For financial and operating data and rates charged for commercial service, see Buffalo.

WESTPORT.

(Population, 700.)

Wadhams and Westport Electric Light and Power Company; supplies electricity.

Remarks.—For financial and operating data and rates charged, see Wadhams.

WEST WINFIELD.

(Population, 749.)

West Winfield Gas Company; supplies gasolene gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$3,000; bonds, none.

Operating data.—Gas sold, 660,000 cubic feet.

Rates charged.—(n. r.).

WHEATLAND.

Scottsville Electric Light and Gas Company; supplies electricity.

Remarks.—For financial and operating data and rates charged, see Scottsville.

WHITEHALL.

(Population, 4,377.)

Consolidated Light and Power Company; supplies electricity.

Financial data.—Capitalization: common stock, \$36,000; bonds outstanding, \$36,000; interest, 5 per cent.; amount, \$1,800; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$91,524.65; total assets, \$134,207.39. Liabilities: capital account, \$111,000; total (exclusive of profit and loss account), \$128,964.23. Profit and loss, surplus, \$5,243.16.

Operating data.—Gross earnings from operation, \$14,250.82; operating expenses, \$11,808.89. Total amount of electricity generated, 326,700 kw. h.; amount sold, 227,445 kw. h.; amount unaccounted for, 99,255 kw. h.; equals 30 per cent. Connected

load: street lights, 28 kw.; connected load, commercial lights, 122 kw.; total, 150 kw. Meters, 2,205 amperes; service transformers, 175.5 kw. capacity. Electricity generated by steam power. Boiler, h. p., 300; engine, h. p., 350; generator capacity, 165 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 75c. per month per 16 c. p. l. Rates for metered arc and incandescent service, 15c. to 7½c. per kw. h.; minimum, \$1. For public service, arc street lighting: number of arc lamps, open, 26; c. p., 2,000; schedule, sunset to sunrise; 3,500 hours per year; price per lamp per annum, \$87.50; incandescent street lighting: number, of incandescent street lamps, 102; c. p., 25; schedule, sunset to sunrise; 3,500 hours per year; price per lamp per annum, \$22.50.

WHITNEYS POINT.

(Population, 749.)

The Union Electric Company; supplies electricity.

Financial data.—Capitalization: common stock, \$18,500; bonds, none; dividends, none; balance sheet, June 30, 1906, (n. r.).

Operating data.—Gross earnings from operation, \$1,225; operating expenses, \$640. Total amount of electricity generated, 1,800 kw. h.; amount sold (n. r.). Connected load: commercial lights, 20 kw. Meters, 125 amperes; service transformers, 20 kw. capacity. Electricity generated by water power. Water wheel, h. p., 60; generator capacity, 25 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 50c. per month per 16 c. p. l. Rate for metered arc and incandescent service, 12c. to 6c. per kw. h.; minimum, \$1 per month. No public service.

WHITE PLAINS (town).

(Population, 12,129.)

Westchester Lighting Company; supplies water gas and electricity.

Rates charged — Gas.—For commercial service, lighting and fuel, \$1.40. Prior to April 1, 1906, lighting, \$1.50.

Rates charged — Electric.—For commercial service: rate for metered arc and incandescent service, 20c. per kw. h.; discounts, 10 per cent. to 15 per cent. Rate for metered power service, 10c. per kw. h.; discounts, 10 per cent. to 60 per cent. For public service, arc street lighting: number of arc lamps, enclosed, 34; c. p.,

1,200; New York city schedule, 3,950 hours per year; price per lamp per annum, \$100; incandescent street lighting: number of incandescent street lamps, 399 c. p., 20, and 14 c. p., 25; New York city schedule, 3,950 hours per year; price per 20 c. p. lamp, \$20; price per 25 c. p. lamp per annum, \$25.

Remarks.— For financial and operating data, see Mount Vernon.

WHITESBORO.

(Population, 2,018.)

Utica Gas and Electric Company; supplies electricity.

Rates charged.— *Electric.*— For public service arc street lighting: number of 6.6 ampere lamps, enclosed, 31; schedule, every night until 1 o'clock; 2,555 hours per year; price per lamp per night, \$0.2078.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Utica.

WHITESTOWN.

Lighting District No. 1.

Rates charged.— *Electric.*— For public service, arc street lighting: number of 6.6 ampere lamps, enclosed, 15; schedule, every night until 1 o'clock; 2,555 hours; price per lamp per night, \$0.20784.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Utica.

WHITESVILLE.

(Population, 450.)

Mutual Gas Company, Ltd.; supplies natural gas.

Remarks.— For financial and operating data and rates charged, see Andover.

WILLIAMSBRIDGE.

Westchester Lighting Company; supplies electricity.

Rates charged.— *Electric.*— For public service, arc street lighting: number of arc lamps, enclosed, 90; c. p., 2,000; New York city schedule, 3,950 hours per year; price per lamp per annum, \$100.

Remarks.— For financial and operating data and rates charged for commercial electric service, see Mount Vernon.

WILLIAMSVILLE.

(Population, 967.)

Williamsville Natural Gas Company; supplies natural gas.

(No report having been received from this company, the following figures are taken from the preliminary report to the Commission as of June 30, 1905.)

Financial data.—Capitalization: common stock, \$33,000; bonds, none; dividends, none.

Operating data.—Gas sold, 1,028,000 cubic feet.

Rates charged.—For commercial service, lighting, 30c.

WILLOWVALE.**Utica Gas and Electric Company;** supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Utica and town of New Hartford.

WILLSBOROUGH.

(Population, 400.)

Boquet Electric Power Company; supplies electricity; also supplies Essex.

Financial data.—Capitalization: common stock, \$5,000; preferred stock, \$5,000; bond and mortgage outstanding, \$1,000; interest, 5 per cent.; amount, \$30; dividends, none; mortgage, 6 per cent.; balance sheet, June 30, 1906. Assets: construction and equipment account, \$13,438; total assets, \$13,838. Liabilities: capital account, \$11,000; total, \$13,906. Profit and loss deficiency, \$68.

Operating data.—Gross earnings from operation, \$1,306.70; operating expenses, \$660. Total amount of electricity generated (n. r.); amount sold (n. r.); amount unaccounted for (n. r.). Connected load, commercial lights, 30 kw.; power, 75 kw.; total, 105 kw. Meters, 280 amperes; service transformers, 35.5 kw. capacity. Electricity generated by water power. Water wheels, h. p., 146; generator capacity, 100 kw.

Rates charged.—For commercial service, flat rates: incandescent service, 50c. per 16 c. p. l. per month; over 10 lamps, 10 per cent. discount. Rates for metered arc and incandescent service, 10c. per kw. h. For public service, incandescent street lighting: number of incandescent street lights, 50; c. p., 32; schedule, dark to midnight; 2,190 hours per year; price per lamp per year, \$10 (since February 1, 1906).

WOLCOTT.

(Population, 1,200.)

Wolcott Electric Light and Power Company; name of owner, O. M. Curtis; supplies electricity; motive power, steam.

Financial data.—Construction and equipment (n. r.).

Operating data.—Number of consumers, 125.

Rates charged.—Commercial service, lighting, flat rate: 3c. per light per night; meter rate, 20c. per kw. h. For public service, arc lighting, \$70 per lamp per year; incandescent street lighting, \$9 per lamp per year.

WOODBURY.

Orange and Rockland Electric Company; supplies electricity.

Remarks.—For financial and operating data and rates charged for commercial electric service, see Monroe.

WOODHULL.

(Population, 300.)

Woodhull Gas Company, partnership; supplies acetylene gas.

Financial data.—Construction and equipment (n. r.).

Operating data.—Number of feet sold (n. r.).

Rates charged.—(n. r.).

WOODLAWN.

Westchester Lighting Company; supplies water gas.

Remarks.—For financial and operating data and rates charged for gas service, see Mount Vernon.

WOODMERE.

Queens Borough Gas and Electric Company; supplies water gas and electricity.

Rates charged — Gas.—For commercial service: same rate as charged by this company in borough of Queens. See New York city, borough of Queens.

Rates charged. — Electric.—For commercial service: same rate as charged by this company in borough of Queens. See New York city, borough of Queens.

Remarks.—For financial and operating data and rates charged for commercial gas and electric service. See New York city, borough of Queens.

WORCESTER.

(Population, 1,000.)

Individual plant; name of owner, Henry Shafer; supplies electricity; motive power, water and steam.

Financial data.— Construction and equipment, \$7,045.

Operating data.— Number of consumers, 30.

Rates charged.— Commercial service, lighting, flat rate: 50c. per month per 16 c. p. l.; meter rate, 12c. per kw. h. For public service, lighting public buildings, flat rate; \$30 per year; street lighting, incandescent light, price per lamp per year, \$17.

YONKERS.

(Population, 61,716.)

Westchester Lighting Company; supplies water gas.

Rates charged — Gas.— For commercial service: lighting and fuel, \$1.

Remarks.— For financial and operating data, see Mount Vernon.

The Yonkers Electric Light and Power Company; supplies electricity.

Financial data.— Capitalization: common stock, \$200,000; bonds outstanding, \$200,000; interest, 6 per cent.; amount, \$12,000; dividends, none; balance sheet, June 30, 1906. Assets: construction and equipment account, \$648,566.29; total assets, \$714,995.59. Liabilities: capital account, \$400,000; total (exclusive of profit and loss account), \$679,769.84. Profit and loss, surplus, \$35,225.75.

Operating data.— Gross earnings from operation, \$139,529.30; operating expenses, \$109,785.86. Total amount of electricity generated and purchased from other companies, 2,266,476 kw. h.; amount sold, 1,604,845 kw. h.; amount not sold, 661,631 kw. h., equals 29.1 per cent. Connected load, street lights, 246.3 kw.; connected load, commercial lights, 1,599.65 kw.; power, 355.5 kw.; total, 2,201.45 kw. Meters, 6,419 amperes, 2-wire; 7,983, 3-wire; service transformers, 1,302.4 kw. capacity. Electricity generated by steam power. Boiler, h. p., 500; engine, h. p., 325; generator capacity, 300 kw.

Rates charged.— For commercial service: rates for metered arc and incandescent service, 15c. per kw. h. for the first two hours' average daily use of the total connected capacity; 10c. per kw. h.;

for the third and fourth hours' average daily use, and 5c. per kw. h. for all excess above four hours' average daily use. The connected capacity of the installation is stated in kw., a standard 16 c. p. incandescent lamp being rated at 50 watts, and a standard 500 arc lamp at 500 watts. In large installations, where the customer guarantees a minimum monthly consumption of 1,250 kw. h. for eight months of the year, the rates for average daily use are: 10c. for first two hours' average daily use, 7½c. for the third and fourth hours' average daily use, and 5c. per kw. h. for the excess above four hours' average daily use. Rates for metered power service: 10c. per h. p. h., with discounts 20 per cent. to 50 per cent.; minimum, \$3 per month. For public service, arc street lighting: number of arc lamps, enclosed, 301 c. p., 1,200; and 11, c. p., 2,000; schedule, one-half hour after sunset to one-half hour before sunrise; 3,938 hours per year; price per lamp per annum, \$107; incandescent street lighting: number of incandescent street lamps, 526; c. p., 25; schedule, one-half hour after sunset to one-half hour before sunrise; 3,938 hours per year; price per lamp per annum, \$20.50.

YORKVILLE.

(Population, 524.)

Utica Gas and Electric Company; supplies water gas and electricity.

Rates charged — Gas.— For commercial service: same rate as charged by this company in Utica. See Utica.

Rates charged — Electric.— For public service, arc street lighting: number of 6.6 ampere lamps, enclosed, 11; schedule, every night until 1 o'clock; 2,555 hours per year; price per lamp per night, \$0.20784.

Remarks.— For financial and operating data and rates charged for commercial gas and electric service, see Utica.

APPENDIX "E."

**TABULATION OF REPORTS OF CORPORATIONS, MUNICIPALITIES AND
PERSONS.**

APPENDIX "E."

TABULATION OF REPORTS OF CORPORATIONS, MUNICIPALITIES AND PERSONS AS OF JUNE 30, 1906, FILED PURSUANT TO SUBDIVISION 6, SECTION 9 OF THE ACT ESTABLISHING THE COMMISSION, ARRANGED ALPHABETICALLY AS TO TERRITORY, SUPPLIED AND CLASSIFIED ACCORDING TO CHARACTER OF SERVICE, AS FOLLOWS:

- Coal and Water Gas Companies.
- Electric Companies.
- Gas and Electric Companies.
- Natural Gas Companies.
- Gasolene Gas Companies.
- Acetylene Gas Companies.
- Oil Gas Company.
- Municipal Lighting Plants, Gas.
- Municipal Lighting Plants, Electric.
- Individual Plants.

NOTE.—"N. R." indicates figure not reported.
Capitalization does not include bills and notes or other permanent indebtedness. In a few instances it does include bonds and mortgages.

"Stock" indicates amount issued.

"Bonds" indicates amount outstanding.

The following table of Coal and Water Gas Companies shows the common and preferred stock issued by the Company, outstanding bonded indebtedness, cubic feet of gas sold during the year, expressed in thousands, and reported gross earnings. The total common stock issued is \$137,233,100, total preferred stock issued, \$15,367,700, total outstanding bonded indebtedness, \$80,628,600, total gas sold, 30,004,816,000 cubic feet, and the reported gross earnings, not including companies operating in borough of Manhattan (New York city), \$9,512,923.87.

COAL AND WATER GAS COMPANIES.

NAME OF COMPANY.	STOCK.		Bonded Debt.	GAS SOLD in M cu. ft.	Gross Earnings.
	Common.	Preferred.			
Amsterdam:					
Chuctanunda Gas Light Company.....	\$125,000 00	.....	.....	62,596	\$86,293 25
Auburn Gas Company.....	325,000 00	.....	\$500,000 00	82,476	87,241 62
Binghamton Gas Works.....	750,000 00	.....	775,000 00	137,259	170,713 93
Brookport Gas Light Company.....	25,000 00	.....	35,000 00	6,738	9,848 96
Buffalo Gas Company.....	7,000,000 00	.....	5,806,000 00	566,000	(n. r.)
Canandaigua Gas Light Company.....	50,000 00	.....	.....	6,415	9,491 68
Cooperstown Gas Company.....	6,160 00	.....	.....	2,204	3,278 21
Dunkirk:					
Citizens' Gas and Fuel Company.....	200,000 00	.....	155,000 00	10,974	15,577 02
Fishkill and Matteawan Gas Company.....	100,000 00	.....	.....	9,896	16,214 64
Fredonia Natural Gas Light Company.....	40,000 00	.....	.....	(n. r.)	16,312 69
Fulton Fuel and Light Company.....	125,000 00	.....	121,000 00	16,891	21,291 00
Geneva:					
Interurban Gas Company.....	10,000 00	.....	447,000 00	43,231	44,348 51
Goshen Illuminating Company.....	15,000 00	.....	15,000 00	*423	*820 42
Hempstead:					
Nassau and Suffolk Lighting Company.....	500,000 00	.....	500,000 00	18,000	(n. r.)
Hoosick Falls:					
Fidelity Gas Company.....	100,000 00	.....	150,000 00	20,179	34,620 02
Huntington Gas Company.....	75,000 00	.....	75,000 00	6,206	10,354 91
Ithaca Gas Light Company.....	60,000 00	.....	60,000 00	2,243	12,806 95
Lyons Gas Light Company.....	200,000 00	.....	200,000 00	33,416	67,501 71
Medina Gas Company.....	30,000 00	.....	.....	2,943	6,354 11
Newark Gas, Light and Fuel Company.....	40,000 00	.....	40,000 00	(n. r.)	7,523 74
New York:					
Brooklyn, Borough of:					
Brooklyn Borough Gas Company.....	500,000 00		533,000 00	161,698	129,311 76

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Brooklyn Union Gas Company.....	15,000,000 00		18,000,000 00	6,536,177	7,133,884 00
Kings County Lighting Company.....	2,000,000 00		2,333,000 00	297,999	343,676 33
Bronx, Borough of:					
Central Union Gas Company.....	3,500,000 00	.....	3,500,000 00	1,024,811	(n. r.)
Northern Union Gas Company.....	1,500,000 00	.....	1,250,000 00	383,046	(n. r.)
Manhattan, Borough of:					
Consolidated Gas Company of New York.....	80,000,000 00	.....	21,244,600 00	13,364,322	(n. r.)
New Amsterdam Gas Company.....	12,165,000 00	.....	.....	2,494,177	(n. r.)
New York Mutual Gas Light Company, The.....	3,500,000 00	.....	9,000,000 00	19,635,000 00	(n. r.)
Standard Gas Light Company of the City of New York, The.....	4,985,700 00	.....	4,236,700 00	1,878,483	(n. r.)
Queens, Borough of:					
Jamaica Gas Light Company.....	200,000 00	.....	.....	2,085,716	(n. r.)
Newtown Gas Company, The.....	60,000 00	.....	.....	51,585	71,175 44
New York and Queens Gas Company.....	600,000 00	.....	1,000,000 00	177,326	233,757 57
Richmond Hill and Queens County Gas Light Company, The.....	250,000 00	.....	.....	82,878	112,178 90
Woodhaven Gas Light Company, The.....	20,000 00	.....	.....	46,185	69,828 90
Richmond, Borough of:					
New York and Richmond Gas Company.....	1,500,000 00	.....	1,225,000 00	43,285	83,194 43
Nyack Gas Light and Fuel Company.....	50,000 00	.....	130,000 00	161,771	210,272 65
Ogdensburg Gas Company.....	100,000 00	.....	20,000 00	16,752	24,961 85
Owego Gas Light Company.....	60,000 00	.....	50,000 00	9,733	22,276 40
Patchogue Gas Company.....	150,000 00	.....	150,000 00	7,116	12,598 87
Penn Yan Gas Light Company.....	24,750 00	.....	50,300 00	4,514	7,371 70
Sag Harbor Lighting Company.....	20,000 00	.....	20,000 00	9,057	12,603 59
Saugerties Gas Light Company.....	32,000 00	.....	.....	11,123	15,496 70
Schenectady:					
Mohawk Gas Company.....	280,000 00	.....	.....	3,708	4,842 10
Sea Cliff and Glen Cove Gas Company.....	150,000 00	.....	154,000 00	177,147	200,276 21
Seneca Falls and Waterloo Gas Light Company.....	80,000 00	.....	150,000 00	1,485	2,221 05
Suffern Gas Company.....	100,000 00	.....	100,000 00	19,042	26,649 48
Tonawanda:					
Niagara Light, Heat and Power Company.....	249,500 00	.....	600,000 00	5,890	8,200 00
Watertown Gas Light Company.....	100,000 00	.....	.....	57,255	59,445 24
Waverly Light Company of Waverly, The.....	150,000 00	.....	150,000 00	61,203	106,106 60
				(n. r.)	(n. r.)

* Three months.

The following table of electric companies shows the common and preferred stock issued, outstanding bonded indebtedness, kilowatt hours of electricity sold during the year and the gross earnings of each company. The total common stock issued is \$92,188,450, preferred stock issued, \$5,300,500, total outstanding bonded indebtedness, \$3,344,508.80, and the gross earnings, as reported, \$21,741,251.48.

ELECTRIC COMPANIES.

NAME OF COMPANY.	STOCK.		Bonded Debt.	Electricity in kw. h.	Gross Earnings.
	Common.	Preferred.			
Adams Electric Light Company.....	\$10,000 00	.....	.....	(n. r.)	(n. r.)
Addison Electric Light and Power Company.....	20,000 00	.....	.....	114,128	\$3,387 81
Alexandria Bay: St. Lawrence International Electric Railroad and Land Company.....	250,000 00	.....	.....	(n. r.)	8,168 19
Amityville Electric Light Company.....	20,000 00	.....	\$15,000 00	147,460	11,207 00
Amsterdam: Edison Electric Light and Power Company of Amsterdam, N. Y.	23,000 00	.....	.....	1,146,146	44,063 30
Auburn: Auburn Light, Heat and Power Company.....	300,000 00	.....	308,000 00	(n. r.)	90,334 36
Citizens' Light and Power Company.....	250,000 00	.....	.....	(n. r.)	10,152 40
Avon Electric Company.....	18,000 00	.....	.....	(n. r.)	6,286 34
Babylon Electric Light Company.....	15,000 00	.....	6,000 00	(n. r.)	17,006 33
Baldwinsville: Seneca River Power Company.....	100,000 00	.....	100,000 00	(n. r.)	11,044 14
Binghamton Light, Heat and Power Company.....	500,000 00	\$121,000 00	400,000 00	2,240,000	121,541 61
Buffalo: Cataract Power and Conduit Company.....	2,000,000 00	.....	900,000 00	101,614,065	728,194 38
Buffalo General Electric Company.....	2,977,500 00	.....	2,375,000 00	14,932,943	836,833 07
Canajoharie: Monticomey Electric Light and Power Company.....	21,000 00	.....	25,000 00	(n. r.)	13,276 34
Canandaigua: Ontario Light and Traction Company.....	100,000 00	.....	225,000 00	519,969	35,602 53
Canton Electric Light and Power Company.....	18,000 00	.....	.....	(n. r.)	9,686 26
Carthage Electric Light and Power Company.....	75,000 00	.....	55,000 00	(n. r.)	24,160 06
Cattaraugus Electric Light and Power Company.....	12,000 00	.....	5,000 00	(n. r.)	(n. r.)
Cazenovia Electric Company.....	22,000 00	.....	.....	(n. r.)	6,641 78
Champlain Electric Company.....	16,000 00	.....	7,500 00	(n. r.)	2,972 11
Chateaugay: Chateaugay Electric Light and Power Company.....	6,000 00	.....	3,000 00	(n. r.)	342 64
Chasm Power Company.....	22,000 00	.....	23,000 00	(n. r.)	4,560 00

Chatham Electric Light, Heat and Power Company.....	27,500 00	.....	25,000 00	(n. r.)	9,766 51
Clayton : Thousand Island Electric Light and Power Company.....	10,000 00	.....	10,000 00	(n. r.)	6,553 00
Clinton : College Hill Electric Light Company.....	5,000 00	.....	*3,000 00	(n. r.)	(n. r.)
Franklin Springs Electric Light Company.....	5,000 00	.....	.....	(n. r.)	5,080 30
Cobleskill : Courter Electric Company, The.....	15,000 00	.....	15,000 00	19,588	2,863 98
Cold Spring Light, Heat and Power Company.....	15,000 00	.....	.....	117,405	4,666 82
Cooperstown : Clinton Mills Power Company.....	10,000 00	.....	20,000 00	(n. r.)	14,980 56
Cornwall : Hudson Counties Gas and Electric Company.....	20,000 00	.....	100,000 00	(n. r.)	12,631 94
Cortland County Traction Company.....	320,000 00	.....	600,000 00	(n. r.)	33,004 56
Coxsackie : Upper Hudson Electric Company.....	150,000 00	.....	75,000 00	(n. r.)	18,978 19
Delhi Electric Company.....	20,000 00	.....	20,000 00	(n. r.)	6,992 35
Deposit Electric Company.....	74,000 00	.....	50,000 00	(n. r.)	(n. r.)
Despatch Heat, Light and Power Company.....	500,000 00	.....	.....	(n. r.)	2,198 56
Dover Plains : Morgan and Weyman Electric Light and Power Co....	6,000 00	.....	.....	(n. r.)	(n. r.)
Dunkirk Power and Heating Company.....	60,000 00	.....	.....	(n. r.)	2,915 57
East Aurora Electric Light Company.....	20,000 00	.....	15,000 00	(n. r.)	7,470 74
East Hampton Electric Light Company.....	47,000 00	.....	.....	54,763	6,318 22
Ellenville Electric Company.....	30,000 00	.....	20,000 00	(n. r.)	11,782 49
Fishkill-on-Hudson : Southern Dutchess Gas and Electric Company.....	5,000 00	.....	.....	1,152,646	36,840 35
Fisher's Island Electric Light, Heat and Power Company.	15,000 00	.....	.....	(n. r.)	2,171 40
Floral Park Light and Power Company, The.....	24,020 00	.....	.....	(n. r.)	4,567 74
Fort Covington Light, Heat and Power Company.....	12,000 00	.....	3,500 00	(n. r.)	(n. r.)
Franklinville : Empire Electric Company.....	2,500 00	.....	.....	(n. r.)	4,390 40
Fredonia : Dunkirk and Fredonia Railroad Company, Lighting Department.....	1173,250 00	.....	1100,000 00	(n. r.)	163,502 26
Fulton Light, Heat and Power Company.....	150,000 00	.....	120,000 00	(n. r.)	27,321 21
Geneva Power and Light Company.....	50,000 00	.....	50,000 00	(n. r.)	34,315 24
Glens Falls : Empire State Power Company.....	(n. r.)	.....	.....	(n. r.)	(n. r.)
Hudson River Water Power Company.....	.....	.....	.....	(n. r.)	(n. r.)
Hudson River Electric Company.....	3,000,000 00	.....	3,000,000 00	Cur'nt purch'd	(n. r.)
Hudson River Power Transmission Company.....	750,000 00	.....	600,000 00	(n. r.)	(n. r.)
Goshen Light and Power Company, The.....	15,000 00	.....	6,000 00	106,616	13,186 11
Gouverneur : Oswegatchie Light and Power Company.....	60,000 00	.....	.....	(n. r.)	19,878 54
Gowanda : Consolidated Electric Light and Power Company....	50,000 00	.....	.....	(n. r.)	4,668 94

† Includes railroad investment.

* Bond and mortgage.

ELECTRIC COMPANIES—(Continued).

NAME OF COMPANY.	STOCK		Bonded Debt.	Electricity in k.w. h.	Gross Earnings.
	Common.	Preferred.			
Greenwich:					
Consolidated Electric Company	\$75,000 00	.....	\$50,000 00	(n. r.)	\$28,744 80
Hammondsport Electric Light Company	10,000 00	.....	.....	80,832	5,332 20
Hampton:					
Fairhaven Electric Company	\$1,000 00	.....	.....	(n. r.)	(n. r.)
Hannawan Falls:					
Northern Power Co. (Plant under construction)	‡	‡	‡	‡	‡
Harrisville Electric Light and Power Company	7,960 00	.....	.....	(n. r.)	(n. r.)
Heron Electric Light Company	(n. r.)	.....	.....	(n. r.)	(n. r.)
Highland Falls:					
Buttermilk Falls Electric Company .....	.....	.....	15,000 00	(n. r.)	(n. r.)
Hillborn:					
Rockland Electric Company	230,000 00	.....	230,000 00	(n. r.)	70,062 40
Hornell:					
American Illuminating Company of Hornellsville	82,500 00	.....	75,000 00	(n. r.)	47,947 00
Hoosick Falls Illuminating Company	100,000 00	50,000 00	112,500 00	(n. r.)	28,735 47
Huntington Light and Power Company	48,800 00	.....	.....	181,672	15,786 87
Ithaca Electric Light and Power Company	200,000 00	100,000 00	75,000 00	(n. r.)	61,842 81
Jamestown Lighting and Power Company	100,000 00	.....	56,000 00	617,225	31,461 85
Jordan Electric Light and Power Company	10,000 00	.....	.....	(n. r.)	3,907 74
Keene Center:					
Ausable Valley Light, Heat and Power Company .....	.....	.....	.....	(n. r.)	789 32
Keesville Electric Company	30,000 00	.....	40,000 00	(n. r.)	7,634 47
Liberty Light and Power Company	25,000 00	.....	15,000 00	(n. r.)	13,083 36
Lima-Honeoye Electric Light and Railroad Company	‡20,000 00	.....	.....	109,500	(n. r.)
Livingston Manor Electric Company	32,000 00	.....	.....	(n. r.)	2,400 00
Lockport:					
Niagara, Lockport and Ontario Power Company	2,000,000 00	2,000,000 00	4,000,000 00	‡	‡
Lowville:					
Weinore Electric Company	40,000 00	.....	30,000 00	(n. r.)	16,019 60
Lyons:					
Wayne County Electric Company	100,000 00	.....	100,000 00	(n. r.)	28,007 46
Massena Electric Light and Power Company	50,000 00	.....	.....	349,470	10,810 68
Mechanicville Electric Light and Gas Company	5,000 00	.....	.....	(n. r.)	7,564 14
Medina:					
A. I. S. Swett Electric Light and Power Company	300,000 00	.....	176,000 00	(n. r.)	24,668 78
Menands:					
Colonie Electric Company, The	10,000 00	.....	.....	36,000	2,951 08
Mexico Electric Company .....	.....	.....	.....	(n. r.)	4,098 27
Middleburgh and Schoharie Electric Light, Heat and Power Company	40,000 00	.....	22,000 00	(n. r.)	6,041 90

ELECTRIC COMPANIES — (Concluded).

NAME OF COMPANY.	STOCK.		Bonded Debt.	Electricity in kw. h.	Gross Earnings.
	Common.	Preferred.			
NYACK:					
Rockland Light and Power Company.....	\$160,000 00	\$100,000 00	\$300,000 00	1,332,155	\$85,065 30
Ogdensburg Power and Light Company.....	50,000 00	.....	.....	282,000	28,397 22
Orlean Electric Light and Power Company.....	34,500 00	.....	11,000 00	(n. r.)	20,027 40
Ovid Electric Company.....	10,000 00	.....	10,000 00	(n. r.)	6,386 72
Owego Light and Power Company, The.....	60,000 00	.....	25,000 00	289,500	12,841 91
Oyster Bay, School District No. 5:					
Glen Cove Light and Power Company.....	15,000 00	.....	.....	79,387	7,755 24
Oyster Bay Electric Light and Power Company.....	35,000 00	.....	11,500 00	*204,000	12,514 00
Oxford Electric Light Company, The.....	10,000 00	.....	8,000 00	119,159	5,004 90
Patchogue Electric Light Company, The.....	40,000 00	.....	.....	(n. r.)	11,449 76
Penn Yan:					
Yates Electric Light Company.....	(n. r.)	.....	.....	(n. r.)	(n. r.)
Perry Electric Light Company, The.....	9,000 00	.....	20,000 00	(n. r.)	12,128 06
Plattsburgh:					
Lozier Light and Power Company.....	100,000 00	.....	100,000 00	(n. r.)	5,941 01
Port Jefferson Electric Light Company.....	7,500 00	.....	.....	(n. r.)	5,764 71
Potsdam Electric Light and Power Company, The.....	22,000 00	.....	6,825 00	(n. r.)	15,742 94
Pulaski Electric Light Company.....	9,000 00	.....	.....	(n. r.)	3,251 36
Red Hook Light and Power Company.....	(n. r.)	.....	.....	(n. r.)	(n. r.)
Rhinebeck:					
Dutchess Light, Heat and Power Company of Rhinebeck, N. Y., The.....	38,450 00	.....	.....	(n. r.)	6,260 25
Richfield Springs Electric Light and Power Co., The.....	20,000 00	.....	45,000 00	100,745	8,900 00
Riverhead Electric Light Company.....	7,500 00	.....	.....	26,066	3,332 00
Rochester:					
Twenty-fourth Ward, formerly Brighton:					
Eastern Monroe Electric Light and Gas Co....	\$250,000 00	.....	.....	\$12,005	\$1,021 25
Roslyn:					
Nassau Light and Power Company.....	431,000 00	.....	.....	18,868,200	146,795 39
Salamanca Water Works Company.....	\$	.....	.....	(n. r.)	3,885 30
Salem:					
Peoples' National Bank of Salem.....	.....	.....	.....	(n. r.)	512 62
Saranac Lake Light, Heat and Power Company.....	100,000 00	.....	50,000 00	(n. r.)	28,169 59
Saugerties:					
Ulster Electric Light and Power Company.....	30,000 00	.....	6,000 00	(n. r.)	9,570 99
Sayville Electric Company, The.....	30,000 00	.....	.....	(n. r.)	(n. r.)
Schenectady Illuminating Company.....	80,000 00	.....	1,000,000 00	7,690,000	315,625 31
Schenevus Electric Light and Power Company, The.....	6,000 00		7,800 00	(n. r.)	2,162 29
Scottsville Electric Light and Gas Company.....	20,000 00			10,439	1,814 00

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Sherman Electric Light Company.....	9,000 00			(n. r.)	3,146 87
Spice Falls: Seneca Edison Company	50,000 00			(n. r.)	25,139 11
Silver Creek: Peoples' Electric Light and Power Company.....	17,850 00	.....	.....	(n. r.)	7,109 37
Sodus Gas and Electric Light Company.....	15,000 00	.....	.....	12,941	1,393 00
Southampton: Suffolk Light, Heat and Power Company.....	40,000 00	.....	.....	(n. r.)	17,625 64
Stamford Electric Light Company.....	20,000 00	.....	.....	(n. r.)	5,434 88
St. Johnsville: St. Regis Falls: East Creek Electric Light and Power Company.....	200,000 00	.....	.....	(n. r.)	21,964 02
St. Regis Falls: Tannersville: Schoharie Light and Power Company.....	50,000 00	.....	.....	(n. r.)	4,185 52
Ticonderoga Electric Light and Power Company.....	40,000 00	.....	.....	70,127	5,687 59
Tonawanda Power Company	15,000 00	.....	.....	(n. r.)	4,495 00
Troy: Beacon Electric Co. of Lansingburgh, N. Y., The.....	250,000 00	.....	.....	8,237,247	101,954 40
Trumansburg Electric Company	100,000 00	.....	.....	521,560	40,646 65
Tuxedo Park: Tuxedo Electric Light Company.....	10,000 00	.....	.....	(n. r.)	13,000 00
Unadilla: Standard Light, Heat and Power Company.....	69,000 00	.....	25,000 00	191,541	38,308 35
Walden: Walkill Valley Light and Power Company.....	60,000 00	.....	.....	(n. r.)	17,362 08
Walton Electric Light Company.....	3,330 00	.....	.....	(n. r.)	7,779 54
Warwick: Warwick Valley Light and Power Company.....	20,000 00	.....	.....	(n. r.)	6,486 00
Watford Electric Light, Heat and Power Company.....	35,000 00	.....	.....	(n. r.)	(n. r.)
Watertown Electric Light Company.....	600,000 00	.....	.....	(n. r.)	3,683 11
Waverly Electric Light and Power Company, The.....	15,000 00	.....	.....	(n. r.)	68,306 16
Westport Electric Light and Power Company.....	60,000 00	.....	.....	(n. r.)	(n. r.)
Westville Electric Light, Heat and Power Company.....	15,000 00	.....	.....	47,321	5,772 00
Whitehall: Consolidated Light and Power Company.....	20,000 00	.....	.....	(n. r.)	7,767 25
Whitney's Point: Union Electric Company, The.....	36,000 00	.....	.....	227,446	14,250 82
Willisborough: Hoquet Electric Power Company.....	13,500 00	.....	.....	(n. r.)	1,225 00
Yonkers Electric Light and Power Company, The.....	5,000 00	.....	5,000 00	(n. r.)	1,306 70
	200,000 00	.....	.....	1,604,646	139,529 30

* Generated. † From DC series arc generators—no record from AC generators.
 § Plant sold to village January 1, 1906. ¶ Plant ceased operations May 1, 1906.
 ‡ Commenced operations January 1, 1906.
 || Bond and mortgage.

The following table of gas and electric companies shows the amounts issued of common and preferred stock: the outstanding bonded indebtedness, amount of gas sold during the year, expressed in thousands of cubic feet, kilowatt hours of electricity sold and the gross earnings of each company. The total common stock issued amounts to \$38,176,100, total preferred stock, \$8,160,040, total outstanding bonded indebtedness, \$55,970,700, the total gas sold, 3,750,541,000 cubic feet, and the total reported gross earnings, \$8,721,840.08.

GAS AND ELECTRIC COMPANIES.

NAME OF COMPANY.	STOCK.		Bonded Debt.	Gas Sold in M. Cu. Ft.	Electricity in kw. h.	Gross Earnings.
	Common.	Preferred.				
Albany:						
Municipal Gas Company	\$2,000,000 00	.....	\$500,000 00	400,000	(n. r.)	(n. r.)
Albion Power Company	194,900 00	.....	260,200 00	5,454	1,074,751	\$41,766 52
Artica Water, Gas and Electric Company, The	100,000 00	\$100,000 00	135,000 00	•	(n. r.)	7,375 73
Batistea Spa, Light and Power Company	35,000 00	.....	35,000 00	273	408,821	24,197 86
Batavia Light and Power Company, The	80,000 00	.....	.....	5,517	(n. r.)	14,510 90
Bath Electric and Gas Light Company	100,000 00	.....	100,000 00	4,713	(n. r.)	17,330 53
Bay Shore:						
Catekill Gas and Electric Light Company, The	200,000 00	.....	160,000 00	13,929	(n. r.)	31,247 11
Catekill Illuminating and Power Company	65,000 00	.....	77,000 00	7,738	447,302	33,063 40
Cohoes Gas Light Company	50,000 00	.....	.....	36,867	(n. r.)	89,633 62
Corning Gas and Electric Company	350,000 00	.....	363,000 00	9,539	1,132,479	56,686 92
Danville Gas and Electric Company	80,000 00	.....	75,000 00	(n. r.)	(n. r.)	18,515 43
Elmira Water, Light and Railroad Company	1,000,000 00	.....	2,861,000 00	20,832	(n. r.)	190,532 50
Fort Plain Gas and Electric Light, Heat and Power Company	31,000 00	.....	.....	1,400	(n. r.)	13,748 22
Genesee Gas Light Company	25,000 00	.....	25,000 00	3,212	187,503	14,025 00
Glens Falls Gas and Electric Light Company	250,000 00	.....	250,000 00	24,457	600,055	53,012 35
Gloversville:						
Fulton County Gas and Electric Company	1,500,000 00	.....	1,324,000 00	70,635	1,422,837	195,203 08
Granville Electric and Gas Company	130,000 00	.....	130,000 00	3,663	(n. r.)	19,399 44
Kingston Gas and Electric Company	700,000 00	.....	699,500 00	47,632	854,530	140,119 76
Lancaster:						
Depew and Lancaster Light, Power and Conduit Company, The	75,000 00	.....	50,000 00	•	(n. r.)	17,613 76
Le Roy Hydraulic Electric Gas Company	79,000 00	.....	.....	1,276	(n. r.)	20,833 58
Little Falls:						
Herkimer County Light and Power Company	355,000 00	.....	360,000 00	29,293	2,361,005	103,857 91
Lockport Gas and Electric Light Company	150,000 00		230,000 00	37,742	(n. r.)	118,295 34
Malone Light, Heat and Power Company	100,000 00		25,000 00	1,566	(n. r.)	31,113 70

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Mechanville:	55,000 00		75,000 00	2,889	(n. r.)	19,167 85
Half Moon Light, Heat and Power Company...	100,000 00		215,000 00	(n. r.)	(n. r.)	62,357 40
Middletown:	10,000,000 00	.....	20,000,000 00	874,415	4,273,407	1,456,699 95
Orange County Lighting Company.....	500,000 00	.....	550,000 00	63,500	1,626,375	192,386 42
Mount Vernon:	.....	.....	.....	.....	.....	.....
Westchester Lighting Company.....	.....	2,500,000 00	.....	.....	.....	.....
Newburgh Light, Heat and Power Company.....	.....	.....	.....	.....	.....	.....
New York:	.....	.....	.....	.....	.....	.....
Bronx, Borough of:	496,500 00	.....	500,000 00	54,357	1,566,150	168,191 92
Bronx Gas and Electric Company, The....	.....	.....	.....	.....	.....	.....
Brooklyn, Borough of:	200,000 00	.....	190,000 00	212,283	1,676,927	332,948 98
Flatbush Gas Company, The.....	.....	.....	.....	.....	.....	.....
Queens, Borough of:	2,000,000 00	.....	2,000,000 00	61,699	1,097,254	228,169 86
Queens Borough Gas and Electric Company.	150,000 00	.....	201,500 00	23,263	(n. r.)	33,026 06
Niagara Falls Gas and Electric Light Company....	100,000 00	.....	85,000 00	8,444	(n. r.)	25,913 22
Norwich Gas and Electric Company.....	.....	.....	.....	.....	.....	.....
Oneida:	200,000 00	100,000 00	250,000 00	13,500	(n. r.)	(n. r.)
Madison County Gas and Electric Company.....	100,000 00	75,000 00	175,000 00	8,500	(n. r.)	34,703 43
Oneonta Light and Power Company.....	.....	.....	.....	.....	.....	.....
Ossining:	804,000 00	.....	714,000 00	14,693	700,937	88,798 03
Northern Westchester Lighting Company.....	.....	.....	.....	.....	.....	.....
Oswego:	450,000 00	.....	450,000 00	24,424	(n. r.)	104,499 57
Peoples' Gas and Electric Company of Oswego.	25,000 00	.....	.....	3,014	(n. r.)	10,438 34
Palmyra Gas and Electric Company.....	500,000 00	.....	.....	23,587	1,002,461	76,739 02
Peekskill Lighting and Railroad Company.....	125,000 00	150,000 00	575,000 00	(n. r.)	(n. r.)	49,962 08
Plattsburgh Light, Heat and Power Company.....	.....	100,000 00	125,000 00	.....	.....	.....
Port Jervis Electric Light, Power, Gas and Railroad Company.....	300,000 00	.....	190,000 00	10,712	650,000	46,048 11
Poughkeepsie Light, Heat and Power Company....	500,000 00	.....	500,000 00	73,784	1,860,075	203,371 24
Rensselaer: and Hudson Railroad Company.....	750,000 00	.....	.....	.....	.....	.....
Albany: and Hudson Railroad Company.....	6,481,100 00	1,000,000 00	1,750,000 00	18,712	4,026,077	106,516 57
Rochester Railway and Light Company.....	400,000 00	2,954,640 00	11,147,000 00	675,466	43,117,868	1,897,301 86
Rome Gas, Electric Light and Power Company....	.....	.....	390,000 00	31,532	1,142,769	116,460 02
Sandy Hill:	.....	.....	.....	.....	.....	.....
Saratoga Springs:	200,000 00	.....	150,000 00	6,204	(n. r.)	53,793 15
United Gas, Electric Light and Fuel Company.	.....	.....	.....	.....	.....	.....
Saratoga Gas, Electric Light and Power Co....	30,500 00	180,400 00	123,500 00	37,729	924,083	115,997 82
Syracuse Lighting Company.....	3,000,000 00	1,000,000 00	5,000,000 00	364,386	10,717,306	994,983 43
Troy Gas Company.....	1,000,000 00	.....	900,000 00	248,642	2,302,000	451,822 30
Utica Gas and Electric Company.....	2,000,000 00	.....	2,000,000 00	166,580	9,616,885	675,307 16
Warsaw Gas and Electric Company.....	50,000 00	.....	.....	1,500	54,157	12,997 28
Waterville Gas and Electric Company, The.....	19,100 00	.....	5,000 00	1,600	(n. r.)	8,415 80

* Natural gas.

The following table of natural gas companies shows the common and preferred stock issued, outstanding bonded indebtedness, cubic feet of gas sold, expressed in thousands, and the gross earnings of each company. The total common stock issued is \$4,661,425, total preferred stock issued, \$360,650, bonds issued, \$1,917,500, and gas sold, 4,174,034,000 cubic feet.

NATURAL GAS COMPANIES.

NAME OF COMPANY.	STOCK.		Bonded Debt.	Gas Sold in M. cu. ft.	Gross Earnings.
	Common.	Preferred.			
Addison:					
Addison Gas and Power Company.....	\$50,000 00	.....	\$15,000 00	45,798	\$4,691 55
Potter Gas Company.....	1,121,000 00	\$283,650 00	500,000 00	(n. r.)	(n. r.)
Akron Natural Gas Company, The.....	196,400 00	.....	.....	(n. r.)	38,588 56
Andover:					
Andover Gas Company.....	10,000 00	.....	.....	22,850	(n. r.)
Mutual Gas Company, Limited.....	50,000 00	.....	80,000 00	164,047	57,539 94
Angola Gas Company.....	90,025 00	.....	.....	8,063	*3,153 13
Attica:					
Attica Natural Gas Company, The.....	10,000 00	.....	.....	15,000	(n. r.)
Attica Water Gas and Electric Company.....	+	.....	+	10,071	+
Baldwinsville Light and Heat Company.....	100,000 00	.....	.....	23,136	11,063 00
Batavia:					
*Alden-Batavia Natural Gas Company, The.....	300,000 00	.....	.....	(n. r.)	96,070 16
Brocton Gas and Fuel Company.....	10,000 00	.....	.....	(n. r.)	(n. r.)
Buffalo:					
Buffalo Natural Gas Fuel Company, The.....	(n. r.)	.....	.....	(n. r.)	(n. r.)
North Buffalo Natural Gas Fuel Company.....	2,000 00	.....	.....	(n. r.)	(n. r.)
Caledonia Natural Gas Company.....	10,000 00	.....	.....	7,120	3,781 41
Canisteo Gas Company.....	25,000 00	.....	19,000 00	(n. r.)	5,865 29
Ceres:					
Home Gas Company.....	10,000 00	.....	.....	(n. r.)	(n. r.)
Corfu Gas Company.....	20,000 00	.....	.....	16,353	(n. r.)
Corning:					
Crystal City Gas Company.....	150,000 00	75,000 00	125,000 00	138,464	48,664 85
Collins:					
Boro Oil and Gas Company.....	(n. r.)	.....	.....	7,000	(n. r.)
Dunkirk:					
South Shore Natural Gas and Fuel Company.....	100,000 00	.....	146,000 00	142,848	38,377 34
Elmira:					
Chemung County Gas Company.....	350,000 00	.....	350,000 00	373,715	38,782 15
Gorham Natural Gas and Mining Company.....	5,850 00			1,355	(n. r.)
Gowanda Natural Gas Company.....	2,200 00			33,709	10,720 85

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Honeoye Falls:	200,000 00	43,000 00	137,462 (n. r.)	37,386 34
Ontario Gas Company	75,000 00	100,000 00		33,517 93
Hornell Gas Light Company				
Lancaster:				
Depew and Lancaster Light, Power and Conduit Company, The	†	†	13,000	†
Lancaster-Depew Natural Gas Company	100,000 00		92,743†	25,160 14
North Collins Fuel and Supply Company, The	20,000 00	5,500 00	8,000	2,000 00
Olean:				
Producers' Gas Company	300,000 00	100,000 00	306,424	78,632 70
Phoenix Fuel, Light and Water Company	100,000 00		1,250,000 (n. r.)	(n. r.)
Pulaski Gas and Oil Company, Limited, The	25,000 00		19,350	(n. r.)
Rushville Mining and Gas Company, The	7,000 00	2,000 00	12,500	3,106 67
Salamanca Gas Company	(n. r.)		(n. r.)	(n. r.)
Sandy Creek Oil and Gas Company, Limited	15,000 00		11,906	4,688 20
Silver Creek Gas and Improvement Company	74,950 00		41,154	(n. r.)
Springville Natural Gas Company	20,000 00		6,000	(n. r.)
Tonawanda:				
Niagara Light, Heat and Power Company	†	†	32,330	†
Watkins:				
Consumers' Natural Gas Company, The	20,000 00	25,000 00	9,650	3,891 04
Wellsville:				
Empire Gas and Fuel Company, Limited	1,000,000 00	400,000 00	908,116	294,873 56
Manufacturers' Gas Company	60,000 00		32,324 52	32,324 52
Williamsville Natural Gas Company	33,000 00		1,028	(n. r.)

* Total receipts from sale of gas.

† See gas and electric companies.

† See coal and water gas companies.

The three tables following give certain details of acetylene, gasoline and oil gas companies. The total stock issued is \$106,625 (gasoline companies, \$34,650, acetylene, \$65,175, and oil gas, \$6,800), total earnings, five companies not reporting, \$23,787.58.

GASOLENE GAS COMPANIES.

NAME OF COMPANY.	STOCK.		Bonded Debt.	Daily Capacity Lights.	Gross Earnings.
	Common.	Preferred.			
Afton Gas Light Company.....	\$2,000 00	.....	.....	(n. r.)	\$302 20
Bainbridge Gas Company.....	3,000 00	.....	.....	500	320 00
Chicknatus Gas Company.....	1,400 00	.....	.....	200	802 68
De Ruyter Gas Company, The.....	2,600 00	.....	.....	500	1,012 20
East Hampton:					
Clinton Gas Company.....	12,100 00	.....	.....	2,500	2,101 50
Margaretville Gas Light Company.....	3,400 00	.....	\$2,500 00	600	325 32
Oxford:					
Commercial Gas Light Company.....	2,000 00	.....	.....	1,000	666 86
Otego Lighting Company.....	2,500 00	.....	.....	400	980 00
Roxbury Gas Lighting Company.....	4,500 00	.....	.....	1,000	500 00
South New Berlin Gas Company.....	(n. r.)	.....	(n. r.)	(n. r.)	(n. r.)
South Otselic:					
Merchants Gas Company.....	1,150 00	.....	.....	300	565 60
West Winfield Gas Company.....	(n. r.)	.....	(n. r.)	(n. r.)	(n. r.)

Tabulated Data.

ACETYLENE GAS COMPANIES.

NAME OF COMPANY.	STOCK.		Bonded Debt.	Daily Capacity Lights.	Gross Earnings.
	Common.	Preferred.			
Altamont Illuminating Company, The.....	\$4,800 00	.....	.....	(n. r.)	\$2,088 81
Aurania Acetylene Gas Company.....	5,000 00	.....	.....	1,250 cu. ft.	1,748 82
Belpport Lighting Company.....	1,550 00	.....	.....	(n. r.)	469 71
Churchville Light and Heating Company.....	5,000 00	.....	.....	(n. r.)	(n. r.)
Edincoville Light, Heat and Power Company.....	1,200 00	.....	.....	(n. r.)	1,638 90
Edmeston Light, Heat and Power Company.....	6,000 00	.....	.....	(n. r.)	(n. r.)
Griffin Corners.....	9,000 00	.....	.....	(n. r.)	2,368 43
Millbrook Gas and Electric Company.....	15,000 00	.....	.....	(n. r.)	(n. r.)
Parish Lighting Company, The.....	1,500 00	.....	.....	400 carbide	650 46
Pittsford Light and Heat Company.....	9,000 00	.....	.....	1,400	1,040 00
Southold Lighting Company.....	7,125 00	.....	.....	1,000	1,377 10

* Oct. 31st to June 30th.

† Pounds.

OIL GAS COMPANY.

NAME OF COMPANY.	STOCK.		Bonded Debt.	Gas sold in M. cu. ft.	Gross Earnings.
	Common.	Preferred.			
Port Henry Gas Company.....	\$6,800 00	.....	.....	1,789	\$4,230 06

The following table shows the bonded indebtedness of municipal electric plants, \$652,278, and municipal gas plants, \$37,000. Independent methods of accounting prevail and for other figures reference should be made to the detailed reports.

MUNICIPAL LIGHTING PLANTS — GAS.

MUNICIPALITY.	Assessed value real estate.	Construction and equip- ment.	Bonds.	Gas sold in M. cu. ft.	Gross Earnings.
Dryden (Acetylene)	\$303,275 00	\$5,000 00	\$30,000 00	79	\$796 42
Millford (Gasolene)	(n. r.)	3,000 00	3,000 00	200	(n. r.)
Spencerport (Acetylene)	406,322 75	(n. r.)	4,000 00	(n. r.)	(n. r.)

MUNICIPAL LIGHTING PLANTS — ELECTRIC.

MUNICIPALITY.	Assessed value real estate.	Construction and equip- ment.	Bonds.	Electricity sold in kw. h.	Gross Earnings.
Boonville	\$536,900 00	\$64,764 04	\$45,000 00	115,000	\$7,968 64
Brocton	(n. r.)	15,000 00	10,000 00	(n. r.)	(n. r.)
Camden	(n. r.)	40,000 00	(n. r.)	(n. r.)	(n. r.)
Castle	390,337 00	(n. r.)	10,500 00	(n. r.)	(n. r.)
Cape Vincent	600,000 00	14,025 45	10,000 00	(n. r.)	1,988 77
Charlotte	882,675 00	(n. r.)	15,000 00	132,631	11,024 53
Clifton Springs	(n. r.)	22,000 00	15,000 00	(n. r.)	(n. r.)
Canton	7,363 20	(n. r.)	(n. r.)	(n. r.)	(n. r.)
Dunkirk	4,898,851 00	41,269 03	*19,000 00	142,184	14,028 83
Elmira	(n. r.)	*29,499 07	15,000 00	34,311	5,035 08
Frankfort	(n. r.)	20,469 44	(n. r.)	(n. r.)	(n. r.)
Fredonia	(n. r.)	11,000 00	(n. r.)	(n. r.)	(n. r.)
Freeport	1,153,777 50	(n. r.)	(n. r.)	96,174	10,338 06
Green Island	(n. r.)	(n. r.)	35,000 00	(n. r.)	(n. r.)
Greene	582,127 00	20,413 99	30,000 00	44,790	4,449 32
Greenport	1,560,700 00	(n. r.)	17,500 00	(n. r.)	8,523 00
Groton	409,040 00	(n. r.)	54,000 00	(n. r.)	3,520 23
Hamilton	800,000 00	(n. r.)	11,000 00	(n. r.)	7,384 60
Herkimer	3,420,241 00	(n. r.)	20,000 00	(n. r.)	17,219 62
Holley	(n. r.)	15,965 45	15,000 00	(n. r.)	5,317 69
Ilion	1,705,774 00	(n. r.)	(n. r.)	37,015 39	3,615 39
Jamestown	11,205,460 00	107,061 37	54,000 00	972,261	23,285 74
Little Valley	(n. r.)	12,000 00	13,000 00	(n. r.)	3,567 03
Marathon	(n. r.)	10,000 00	8,500 00	(n. r.)	(n. r.)
Mayville	(n. r.)	11,200 00	11,200 00	(n. r.)	(n. r.)
Mohawk	971,013 00	16,859 00	21,000 00	(n. r.)	3,920 24
Penn Yan	(n. r.)	38,500 00	(n. r.)	(n. r.)	(n. r.)
Philadelphia	(n. r.)	(n. r.)	12,000 00	(n. r.)	2,819 31
Rockville Centre	(n. r.)	32,000 00	24,000 00	(n. r.)	(n. r.)
Rouses Point	246,020 00	22,305 23	10,000 00	(n. r.)	4,419 10
Salamanca	1,100,405 00	(n. r.)	15,000 00	1656,337	13,387 10
Skaneateles	1,022,450 00	23,480 00	22,000 00	94,486	8,292 76
Springville	(n. r.)	60,000 00	32,558 00	(n. r.)	(n. r.)
Tully	186,642 00	(n. r.)	8,000 00	(n. r.)	(n. r.)
Wappingers Falls	985,250 00	(n. r.)	15,000 00	27,000	2,864 32
Watervliet	(n. r.)	15,250 00	(n. r.)	(n. r.)	(n. r.)
Watkins	(n. r.)	(n. r.)	(n. r.)	(n. r.)	(n. r.)
Westfield	1,363,445 00	12,000 00	(n. r.)	(n. r.)	10,830 00

* From report for fiscal year ending Feb. 28, 1906.

† Since January 1, 1906.

The following table presents certain data concerning individual plants. Of these plants, forty supply electricity, thirteen supply acetylene gas, three supply gasoline gas, one supplies coal gas, one supplies water gas and two supply natural gas. A few of the gas companies report sales, but no record appears to be kept of electricity generated or sold.

INDIVIDUAL PLANTS.

PLANT.	Kind of Service.	Construction and equipment.	Gas sold in M. cu. ft.
Antwerp Electric Light Works:	Electricity	\$4,000 00	.....
Joseph A. Baumert	Electricity	29,172 54	.....
Aurora Electric Light Company:	Electricity	(n. r.)	.....
N. L. Zabriskie	Electricity	10,000 00	.....
Black River:	Acetylene gas	(n. r.)	(n. r.) 633
Jefferson Paper Company	Gasoline gas	2,500 00	(n. r.)
Brasher Falls:	Acetylene gas	1,768 47	(n. r.)
B. A. Babcock	Acetylene gas	9,179 00	(n. r.) 70
Canandaigua:	Water gas	(n. r.)	179
J. K. Rush	Electricity	(n. r.)	.....
Canaseraga Gas Company	Electricity	2,000 00	.....
Candor:	Electricity	23,993 00	.....
Wanda Grove Company	Electricity	5,610 00	.....
Eureka Gas Company	Electricity	(n. r.)	.....
Clifton Springs Sanitarium Company, The	Electricity	(n. r.)	.....
Corinth Electric Light Company	Electricity	(n. r.)	.....
Croton Falls:	Electricity	(n. r.)	.....
George Juengst & Sons	Electricity	(n. r.)	.....
Deansboro:	Electricity	2,000 00	.....
Blanding & Cooper	Electricity	23,993 00	.....
Dexter Electric Light and Power Company	Electricity	5,610 00	.....
Dundee Electric Light Plant	Electricity	(n. r.)	.....
Elizabethtown Electric Light Company, The	Electricity	(n. r.)	.....
Ellenville:	Electricity	(n. r.)	.....
Honk Falls Power Company	Electricity	(n. r.)	.....
Falconer Electric Light Plant	Electricity	(n. r.)	.....
Fonda:	Electricity	20,000 00	.....
Cayadutta Generating Company	Electricity	(n. r.)	.....
Forestport:	Electricity	(n. r.)	.....
George Farley	Acetylene gas	(n. r.)	.....
Gilbertsville:	Acetylene gas	(n. r.)	.....
Benjamin C. Gilbert	Acetylene gas	(n. r.)	.....

Hannibal:	Acetylene gas	(n. r.)	.....
John McFarland	Electricity	\$1,330 00	.....
Hogansburg:	Electricity	15,000 00	.....
Maurice W. Lantry	Electricity	1,273 69	.....
Lawrenceville:	Acetylene gas	1,600 00	32
L. L. Dewey	Electricity	1,900 00	.....
Lyons Falls:	Electricity	(n. r.)	.....
G. H. P. Gould	Electricity	7,318 00	.....
Locke:	Acetylene gas	1,025 00	(n. r.)
A. A. Slocum	Electricity	7,156 00	.....
Madrid:	Electricity	(n. r.)	.....
M. A. & A. D. Whitney	Electricity	(n. r.)	.....
Manlius:	Electricity	5,635 80	.....
W. J. Phillips	Electricity	1,165 00	.....
Morrisville Electric Light Company	Acetylene gas	3,991 00	59
Nichols Gas Company, The	Electricity	16,700 00	.....
Nicholville Electric Light Plant	Electricity	(n. r.)	.....
Northville:	Electricity	(n. r.)	.....
William Harris	Electricity	5,635 80	.....
Nunda Casket Company	Electricity	1,165 00	.....
Oriskany Falls:	Electricity	3,991 00	.....
Edward S. Hamblin	Electricity	16,700 00	.....
Otto Electric Light Company	Acetylene gas	(n. r.)	.....
Phoenicia:	Electricity	(n. r.)	.....
James Walton	Electricity	(n. r.)	.....
Phelps:	Electricity	(n. r.)	.....
John Q. Howe's Sons	Electricity	(n. r.)	.....
Port Byron:	Acetylene gas	(n. r.)	.....
Warren & Lowe	Natural gas	(n. r.)	.....
Richburg:	Natural gas	(n. r.)	.....
Thomson & Hardman	Electricity	3,500 00	.....
John B. Bureson Gas Co.	Electricity	(n. r.)	.....
Riverhead:	Electricity	(n. r.)	.....
Hallett Bros. Milling Company	Electricity	(n. r.)	.....
Randolph:	Electricity	(n. r.)	.....
Woodmaney Bros.	Electricity	(n. r.)	.....
Sag Harbor Electric Plant	Electricity	(n. r.)	.....
Seneca Castle	Electricity	(n. r.)	.....
Henry S. Schoonmaker	Electricity	(n. r.)	.....
Sherburne: House and Gas Association	Electricity	(n. r.)	.....
Shortsville:	Electricity	(n. r.)	.....
H. O. Klinck	Electricity	(n. r.)	.....
Shushan Electric Light Station, The	Electricity	(n. r.)	.....
Solsville:	Electricity	(n. r.)	.....
George R. Smith	Electricity	(n. r.)	.....
Spencer:	Electricity	(n. r.)	.....
S. Alfred Seely Estate	Electricity	(n. r.)	.....

INDIVIDUAL PLANTS — (Concluded).

PLANT.	Kind of Service.	Construction and equip- ment.	Gas Sold in M. cu. ft.
Stockholm:			
George N. Gibson	Electricity	(n. r.) .....	.....
Theresa Electric Light Company	Electricity	(n. r.) .....	.....
Union Springs Gas Company	Acetylene gas	\$4,000 00	(n. r.)
Vernon:			
Nathan A. Tyler	Electricity	(n. r.) .....	.....
Wadhams and Westport Light and Power Company	Electricity	(n. r.) .....	.....
Wappingers Falls:			
Franklin Electric Company	Coal gas	30,000 00	(n. r.)
Warrensburg Electric Light Works	Electricity	(n. r.) .....	.....
Wayland Electric Light and Power Company	Electricity	(n. r.) .....	.....
Webster:			
Rush's Acetylene Town Plant	Acetylene gas	(n. r.)	(n. r.)
Wolcott Electric Light and Power Company	Electricity	(n. r.)	(n. r.)
Woodhull Gas Company	Acetylene gas	(n. r.)	(n. r.)
Worcester:			
Henry Shafer	Electricity	7,046 00 .....	.....

APPENDIX "F."

REPORT OF STATE INSPECTOR OF GAS METERS.

APPENDIX "F."

STATE OF NEW YORK:

OFFICE OF STATE INSPECTOR OF GAS METERS,
No 109 BROAD STREET.

NEW YORK CITY, January 7, 1907.

HONORABLE FREDERIO E. GUNNISON, *President of State Commission of Gas and Electricity, New York City:*

MY DEAR SIR.—I have the honor to submit to you my annual report for 1906, beginning December 1, 1905, to December 31, 1906.

The entire number of gas meters inspected and sealed by my department comprise as follows:

New meters	139,149
Repaired meters	206,161
Private meters	5,548
Total	350,858

A detailed and specific report of same is annexed herewith.

The inspection of the new gas meters, which number 139,149, is made in the shops of the gas meter manufacturers, principally in this city and Albany, by one or two deputies detailed alternately for that work. Although the law requires that each and every gas meter be inspected and sealed by this department, it is a physical impossibility to do so. Firstly, because of the large number thereof, and secondly, because of the inadequate number of inspectors employed to do that kind of work. As stated above, the number of new and repaired gas meters amount to 345,310. Each meter in order to be thoroughly tested as to its accuracy must be run down two or three times on a so-called holder, so that the test of one meter would consume at least ten minutes' time, making six meters per hour, or forty-two per day. Divide the number of gas meters manufactured and repaired by that number it would

then require a force of about fifty men to do this work. As I have but nine testers and four deputies scattered all over the State it is readily seen that the law, as far as the testing of these meters is concerned, cannot be executed as the law prescribes. However, I have my deputies instructed to keep close surveillance over the proving machines operated by the meter manufacturers and gas companies, and see to it that the seals are properly attached to the gas meters. I will add that we rarely find a new meter inaccurate. In fact, the gas companies who purchase the meters from the manufacturers do not accept them if incorrect, and every one is proved over again before they are placed in the houses of the consumers.

The strictest and most careful attention is given to the examination of the complaints of gas consumers who believe their gas bills to be excessive on account of the condition of the meters.

Applications for gas meter tests are made to me by people of all classes, by working men, by mechanics, small and big storekeepers, and by manufacturers, who in evidence produce their gas bills of former years, claiming not to burn any more gas than they did then, yet their bills have increased from year to year, although in many cases the electric light has supplanted the use of gas on their premises, and should have, therefore, reduced their gas bills for illuminating purposes.

In order to do full justice to these complaints, I have instructed my inspectors not only to confine themselves to the inspection of the gas meters but to also examine the index, compare it with their gas bills, to look for any gas leak or any defect of the burners, to find out if consumers are not charged for gas from meters not belonging to them, and to inform themselves of the way the gas is generally used in these houses. The reports brought to me strengthen my belief that the meter is but the innocent cause of the high gas bills. Gas is used extensively for cooking, ironing, and heating purposes, and often recklessly by servants, boarders, and house attaches without the knowledge of consumers, which would naturally increase their gas bills. Still, I believe firmly that a large number of these complaints are well founded, and I confess that I am often mystified as to the real cause of these unwarrantable increases in gas bills. The dissatisfaction of the public grows daily against the gas companies, and the complaints become more numerous and more urgent. The disappointment at seeing the eighty-cent gas bill passed in the last Legislature still

inoperative may have, perhaps, something to do with these complaints.

However, we find a large number of gas meters, as this report will show to have run fast, and we also found quite a number of meters over indexed, for both of which the consumers have been adequately compensated by rebates from the gas companies. These over indexes are sometimes caused from defects in the dial of the meter, though mainly through neglect and inefficiency of the gas companies index takers. I take occasion to refer your honorable Commission to the suggestions and recommendations contained in my last year's report on that and other subjects, with a view to have such laws enacted that will remedy these evils.

To convince myself thoroughly that the gas holders with which the meters are tested prior to being installed into consumers' houses are perfectly accurate, I ordered a test to be made of all the proving machines used by the Consolidated Gas Company. This is one of the most difficult and ingenious tasks, and the services of one of the best experts in this business was engaged for that purpose. The result obtained showed that only one of the eleven machines inspected had but the slightest imperfection. All the rest were perfectly correct and up to the government standard requirements.

It having been brought to my notice that some of the gas companies located in smaller towns of the State have installed gas meters in consumers' houses without a seal affixed, I ordered an investigation and found these reports partly verified. It seems that these meters were purchased from meter manufacturers outside of the State of New York, who have no opportunity to have the meters inspected by my department. In order to avoid any such infraction of the law in the future, I have issued an order to these gas companies who have purchased such meters to have them sent to my office to be sealed and tested before making use of them, or otherwise to provide themselves with a standard prover, so as to enable me to test the meters on their premises whenever I am required to do so. In fact, every gas company, no matter how small, ought to be compelled to have a standard prover on their plant. It is to their own satisfaction, and certainly to that of their customers, who have a perfect right to know that the meter which supplies them with gas is accurate, and that they receive the full measurement of gas they are charged with.

My inspectors, or as they are termed, "State Gas Meter Testers," have petitioned me for a raise in their salary, and I thought it advisable to bring the matter to your notice, so as to have your kind co-operation and have the Legislature act favorably upon it. Since the enactment of the law, giving me the power to appoint ten State gas meter testers, to assist me in the performance of my duties, their salary was fixed at \$3.50 per day. The men claim that the rents, provisions, clothing and everything else appertaining to household expenses have increased to such an extent as to make it difficult for them to make both ends meet, much less to save money for harder times. I am in full sympathy with their request. The work they perform is that of expert mechanics. They were all appointed from the civil service list, and the nature of the work they are required to do places them in a confidential and responsible position. I would, therefore, respectfully recommend that their salaries be raised from \$3.50 per day to \$4, or otherwise to have their salaries fixed at \$100 per month.

The result of the test of private meters during the year showed that out of a total of 5,548, 1,446 were found to have run fast, 883 slow, and 3,219 correct, giving an average of 25 per cent. fast meters, 15 per cent. slow, and 60 per cent. correct. The proof of the fast meters did not exceed 15 per cent., and the entire number showed an average of from 6 to 7 per cent.

The receipts from fees received at this office from December 1, 1905, to December 1, 1906, for gas meter tests, amounted to \$1,627.95, which is transmitted monthly, with a detailed report, to the State Comptroller.

The expenses for salaries and office expenditures were \$22,830.24.

Respectfully yours,

JASTROW ALEXANDER,

State Inspector of Gas Meters.

REPAIRED METERS INSPECTED FROM DECEMBER 1, 1905, TO
DECEMBER 31, 1906.

Year.	Month.	Number.
1905	December	14,968
1906	January	16,159
1906	February	14,837
1906	March	19,538
1906	April	18,183
1906	May	18,107
1906	June	17,345
1906	July	15,818
1906	August	15,490
1906	September	12,731
1906	October	14,531
1906	November	13,689
1906	December	14,765
Total		<u>206,161</u>

NEW METERS INSPECTED FROM DECEMBER 1, 1905, TO DE-
CEMBER 31, 1906.

Year.	Month.	Number.
1905	December	10,288
1906	January	6,382
1906	February	5,424
1906	March	7,900
1906	April	9,360
1906	May	12,456
1906	June	15,193
1906	July	11,457
1906	August	12,626
1906	September	11,228
1906	October	15,084
1906	November	11,920
1906	December	9,831
Total		<u>139,149</u>

454 REPORT OF COMMISSION OF GAS AND ELECTRICITY.

PRIVATE METERS INSPECTED FROM DECEMBER, 1905, TO DECEMBER 31, 1906.

Year.	Month.	Correct.	Fast.	Slow.	Total.
1905	December	287	158	83	528
1906	January	359	189	72	620
1906	February	347	170	73	590
1906	March	356	156	76	588
1906	April	290	131	73	494
1906	May	242	72	68	382
1906	June	194	73	56	323
1906	July	156	72	72	300
1906	August	151	54	79	284
1906	September	109	51	29	189
1906	October	160	54	54	268
1906	November	196	80	59	335
1906	December	372	186	89	647
Grand total		<u>3,219</u>	<u>1,446</u>	<u>883</u>	<u>5,548</u>

Repaired meters	206,161
New meters	139,149
Private meters	<u>5,548</u>
Grand total	<u>350,858</u>

APPENDIX "G."

INSPECTIONS OF GAS.



APPENDIX "G."

INSPECTIONS OF GAS.

The Commission has established a laboratory where tests of gas are made. Its equipment has been selected with care, and while only necessary supplies have been purchased, it is believed that the department is prepared to handle any question which may logically arise in connection with its work. An eighty-inch closed bar stationary photometer has been installed, fitted with a six-foot wet meter and pressure regulator. This will be used in standardizing the portable photometers and in making such tests of burners and such experiments as the Commission shall from time to time direct.

Portable photometers of the latest approved pattern have been designed and made for testing the candle power of the gas supplied in the various cities and villages. These photometers have a sixty-inch closed bar and are so constructed that they may be shipped to any desired place to make local tests.

In addition to the supplies ordinarily needed in the laboratory the following apparatus is used: A Junker calorimeter complete for the determination of heat units; a Bristol pressure gauge for the continuous recording of the pressure of gas; a six foot wet meter to be employed in testing the smaller meters used with the portable photometers and sulphur outfits; an apparatus for the accurate analysis of gas and one for the determination of specific gravity.

APPARATUS AND METHODS EMPLOYED.

Candle power is determined by burning the gas in the burner best adapted to it and which is at the same time applicable for general use. A rate of five feet per hour is maintained, corrections being made for temperature and atmospheric pressure. The light given under these conditions is compared in a disc photometer with that given by two standard English sperm candles, weighing six to the pound and consuming 120 grains per hour. A correction for any variation from this rate of consumption is

made in the final result. The burners adopted are of the standard English Argand type, known as the new style F and the old style C, D, E and F. For water gas of high candle power Bray No. 7 slit union burner is employed, and for oil gases a four foot iron tip burner. Should any question arise as to the proper burner to be used in a given case, the inspector makes trial of several varieties and the one giving the best result is adopted. The chimney generally used with the Argand burner is seven inches long by one and three-quarter inches diameter. There has been recently placed upon the market a standard English burner which gives somewhat higher candle powers than the above, but its cost is excessive for the average consumer and, consequently, it is deemed advisable not to make use of this burner in testing.

The total sulphur in gas is determined by burning a known quantity in a special burner and condensing the products of combustion in the presence of ammonia vapor. These products are returned to the laboratory in a numbered bottle and analyzed.

Ammonia is determined by absorption in ten cubic centimeters of a standard hydrochloric acid solution colored by cochineal. This acid is made up of such a strength that the passage through it of one cubic foot of gas containing one grain of ammonia per hundred cubic feet will just change the color of the cochineal from yellow to purple.

Sulphuretted hydrogen is detected by moistening a strip of paper with a solution of lead acetate and exposing it to a current of the gas. A brown discoloration of the paper indicates the presence of this impurity.

The specific gravity is determined by comparing the time it takes for equal volumes of gas and air to escape under similar conditions through a small orifice. This method in competent hands is very exact.

The calorific value of gas is determined by the use of the Junker calorimeter. Speaking broadly, the essential features of this test consist in measuring the amount of heat given up, by the combustion of a known volume of gas, to a given amount of water.

Ammonia in gas when recovered is a source of profit to manufacturers and is as a rule, therefore, in process of manufacture carefully removed. The ease with which this may be removed from gas and its value as a by-product have combined to bring about this condition, and it is not anticipated that much trouble will be found from the presence of this impurity.

Sulphuretted hydrogen is extremely undesirable in the purified gas, being both dangerous in itself and in its products of combustion. Fortunately, it may be easily removed with but little expense, and under no circumstances should it be allowed in the finished product in detectable amounts. The gas of eight companies recently tested shows this impurity, and in nearly every case in considerable amount. This is the more surprising since its detection is of the simplest nature and the test can be made by a person of no special experience in this line of work.

APPENDIX "H."

OPINIONS OF ATTORNEY GENERAL.

APPENDIX "H."

Issue of stock and bonds — Power of commission to designate purposes for which proceeds may be used.

I acknowledge receipt of your communication of December 12, in which you ask for an opinion as to the right of the Commission of Gas and Electricity to designate in its orders consenting to the issue of stock or bonds, the purposes for which the proceeds of the sale of such stock or bonds are to be used. You then set forth orders in illustration of the question asked. I have given careful consideration to your inquiry, and my conclusion is that you have the power to set forth the purposes for which the proceeds of the sale of such stock or bonds are to be used.

In view of the fact, however, that there is no specific provision of the statute governing the form and character of such an order, and that the power is to be gathered from the intent of the purposes of the enactment, I am of the opinion that the test in the courts would be that such order must be reasonable. In other words, the courts would likely not approve any order tending to unnecessarily or unfairly embarrass the corporation in respect of which such order is made, but so long as the order is reasonable, and it appears that it is made to protect the interests of the public or of the stockholders; creditors or others financially interested in the corporation, I think the order would be sustained. To be specific, I am of the opinion that the order referred to in your communication, is legally proper and would be sustained by the courts.

It is clearly the purpose of the enactment to prevent the appropriation of the proceeds of an issue of bonds to any purposes other than those applied for in the application for consent to issue bonds. In any event, it seems to be proper public policy for you to make such orders in such cases as you deem proper, and if their validity is attacked, the question can be settled in the courts.

Yours very truly,
(Signed) JULIUS M. MAYER,
Attorney General.

January 4, 1906.

Private grievances — Action not to be taken where no public interest is to be subserved.

Replying to your communication of January 13th in relation to the complaint made by Mr. Arthur H. Ely, against the New York Edison Company, for the alleged refusal on the part of the company to allow Mr. Ely to connect his building on Eighteenth street with the street mains, so that he might be able to use electric current in the building, I desire to state:

I am inclined to the opinion that the general powers given to your commission by subdivision 1, of section 9, of the act, are sufficient to authorize your Commission to make investigation in regard to the alleged complaint of Mr. Ely, but it cannot be supposed that the intention of the Legislature was that your commission should investigate every private grievance where no public interest was to be subserved, especially in view of the fact that Mr. Ely has an adequate remedy under section 65 of the Transportation Corporations Law. You will find that section 65, above referred to, was fully discussed and authorities cited in the case of *Jones v. Rochester Gas and Electric Company*, 7 App. Div. 474, which case was affirmed without opinion in the Court of Appeals, 158 N. Y. 678.

Broadly speaking, and to subserve some public good therefor, your Commission has authority to act in such matters, but such authority should not be exercised to redress some private wrong, especially in view of the fact, as above stated, that the complainant has a complete remedy, as is stated in the case of *Jones v. Rochester Gas and Electric Company*.

Very truly yours,

(Signed) HORACE McGUIRE,

Deputy Attorney General in Charge.

January 17, 1906.

Consent of Commission necessary to guarantee by one company of the bonds of another.

I have your letter under date of January 16th, asking if the provisions of chapter 737 of the Laws of 1905 require the consent of the Commission of Gas and Electricity to the guaranteeing by one domestic light company of another, and in reply will say that I am of the opinion that such consent would be necessary.

Section 12, in part, reads as follows:

"Any such corporation heretofore or hereafter incorporated shall not increase its capital stock, or its bonded indebtedness without the consent in writing of such commission, stating the amount of the authorized indebtedness."

The expression "bonded indebtedness," as above used, to my mind means any indebtedness (with the probable exception of operating expenses) whether represented by the bonds of the company, or any other evidence of indebtedness, and the guaranteeing of the bonds of one company by another is at least a contingent indebtedness, which might impair or entirely wipe out the assets of the obligor company.

Respectfully yours,
(Signed) GEO. E. PIERCE,
Deputy Attorney General in Charge.

January 25, 1906.

Reorganization — Where plan of, was perfected prior to enactment of chap. 737 Laws of 1905 consent of Commission not necessary to subsequent issue of securities pursuant thereto.

I have your letter of recent date in which you ask for the opinion of this office in relation to the application of the provisions of chapter 737 of the Laws of 1905 to the following statement of facts:

"The Watkins Illuminating and Power Company operating a gas plant at Watkins, N. Y., which company was incorporated on October 14, 1905, to take over the property and franchises of the Watkins Consolidated Gas and Electric Light Company, which was sold under foreclosure on April 21, 1905, under a judgment of foreclosure entered in the office of the clerk of Schuyler County on March 6, 1905. The company was incorporated under sections 3 and 4 of the 'Stock Corporation Law' and the plan and agreement of reorganization was entered into on April 1, 1905."

Pursuant to this plan and agreement of reorganization, which is contained in the Certificate of Incorporation, it was provided that there should be issued \$50,000 of stock of the new corpora-

tion and \$50,000 of bonds, secured by mortgage executed by the new corporation, and that bondholders of the old corporation (the old bonds issued for \$100,000) should share in the new stock and new bonds pro rata, according to their respective holdings of bonds in the old company.

I am of the opinion that it is not necessary to procure the consent of the Gas and Electricity Commission to the issuing of these bonds and mortgage, the reorganization being pursuant to a plan recognized by the statute, and being in furtherance and in fulfillment of an agreement, which, I assume was regular in all of its details, and duly executed and entered into prior to the passage and taking effect of chapter 737 of the Laws of 1905.

The agreement in and of itself, to my mind, would constitute an equitable lien against the property of the company, which could and would be enforced by a court of equity in a proper action brought for that purpose. Contracts similar to the one mentioned in your letter have been upheld as valid liens by the courts of this state.

"A mortgage given by a corporation in an effort to perform a legal obligation to give a first mortgage upon its assets under a contract entered into by such directors with another corporation, which is fully performed on its part, is valid in equity as against junior judgment creditors, even upon the assumption that there was a failure to observe certain statutory requirements."

Syllabus in the case of *Hamilton Trust Company, as Trustee, v. G. Hecter Clemes and others*, 163 N. Y., page 423.

The People of the State of New York, ex rel. Wilbur K. Mathews, relator, v. Timothy L. Woodruff, Lieutenant-Governor of the State of New York and others, constituting the Board of Land Commissioners of the State of New York, 75 A. D. 90.

Respectfully yours,

(Signed) GEO. E. PIERCE,

Deputy Attorney General in Charge.

January 25, 1906.

Complaint by a corporation under the supervision of the Commission — Authority to investigate.

DEAR SIR.—Your letter of December twenty-first, asking if the Commission of Gas and Electricity have the jurisdiction to entertain and pass upon a complaint made to it by the officers of

a corporation created for the purpose of furnishing light, heat and power by gas or electricity, received.

The alleged cause of the complaint, as stated in your letter, seems to be that one company or corporation has its plant installed and is furnishing gas and electric light to the inhabitants of the village of Newark, N. Y.

It would seem that another company has obtained franchises and consents of the property-owners and municipal corporations which entitles it to extend its plant, and the question of the right to extend the lines of the second corporation seems to be the grounds of complaint by the corporation first upon the ground.

The Gas and Electricity Commission was created by an act of the Legislature passed in the year 1905, being chapter 737 of the Session Laws of that year. By section 9 of that act the Commission are given general supervision of all persons and corporations having authority to lay down or erect and maintain wires, poles or other fixtures in the streets for the purpose of transmitting gas or electricity; and second, it is given authority to "investigate and ascertain from time to time the quality of gas supplied by persons, corporations or municipalities; examine the methods employed by such persons, corporations or municipalities in supplying gas and electricity for light, heat and power, or in transmitting the same and order such improvements as will best promote public interests, preserve public health and protect those using such gas or electricity and those employed in the manufacture and distribution thereof or in the maintenance or operation of the works, wires, poles, lines and systems connected therewith."

This language is very broad and comprehensive and undoubtedly confers upon the Commission the right to make inquiries upon its own motion at any time to ascertain facts bearing upon any of the questions involved in that portion of the statute above quoted.

The right to make an investigation as to the quality and price of gas and electricity or to make an investigation which is based upon a complaint made by another corporation or by the patrons of such gas or electric company, seems to be much more restricted.

Section 15 of the act above referred to gives the Commission the right to inquire as to the quality and price of electricity where the complaints are made to it. Said section reads in part as follows:

"Upon the complaint in writing of the mayor of a city, the trustees of a village or the town board of a town in which a person

or corporation is authorized to manufacture, sell or supply gas or electricity for heat, light or power, or upon the complaint in writing of not less than one hundred consumers or purchasers of such gas or electricity, either as to illuminating power, purity or price of such gas or electricity sold and delivered in such municipality, the commission shall investigate as to the cause for such complaint and may by its agents and inspectors, inspect the works, systems, * * *."

By section 16 the Commission are given the right to prescribe the form in which this complaint shall be made.

Section 15, above quoted from, seems to provide for the only grounds for complaint by the officers of the municipality or the customers of the gas and electric light company, and as the complaint mentioned and described in your letter in no way comes within the class specified in section 15, I am of the opinion that the complaint thus made confers no power or jurisdiction upon the Commission to make an investigation or to issue an order which will prevent the second company from installing its plant.

I am, however, of the opinion that under the general authority granted by section 9, the Commission would have the right of its own volition to investigate the affairs of this or any other company.

If I am right in the conclusions above drawn, it furnishes answer to both of the inquiries made in your letter.

Respectfully yours,
(Signed) GEO. E. PIERCE,
Deputy Attorney General in Charge.

February 7, 1906.

Natural gas — Jurisdiction extends to persons and corporations supplying natural gas.

DEAR SIR.—I have your letter of February twenty-seventh, in which you ask whether the Commission, of which you are secretary, has jurisdiction over the Andover Gas Company, which is a corporation organized under the laws of the State of New York, but which owns no gas plant, mains or lighting appliances, it simply buying the gas from individuals who produce it and who own all of the pipe and mains through which it is conducted.

In answer to your first inquiry, will say that section 9 of chapter 737 of the Laws of 1905 gives your Commission general supervision and control over all persons and corporations having

authority to furnish light or heat to the inhabitants of a municipality or to the municipality itself. This section is broad and general and includes any person, firm or corporation operating such lighting or heating plant.

Section 11 of the said law reads in part as follows:

"A corporation hereafter incorporated under the laws of this or any other state for manufacturing and supplying gas for lighting the streets, highways and public places and for heating and lighting public and private places or for manufacturing, establishing, transmitting and supplying electricity for producing light, heat or power for public or private buildings, or for lighting streets, highways or public places, shall not exercise any of its powers or transact any business within this state until it shall have secured a certificate of authority therefor, signed and executed by the commission under its official seal * * *."

Section 12 of said act gives the commission authority to regulate certain acts of corporations "heretofore or hereafter incorporated."

The object and purpose of this act was to provide a Commission with general supervision and authority to examine, regulate and to a certain extent control all companies, corporations or persons who had received or should hereafter receive any rights from the public. There was no reason why a company furnishing and supplying natural gas should be exempt from the operation of the act, and a company or person manufacturing and furnishing gas or electricity be subjected to it. I think the act must be read and construed as though section 11 read as follows:

"A corporation hereafter incorporated under the laws of this or any other state for manufacturing (or) supplying gas for lighting streets."

Any other construction would render the act practically valueless, as one company might manufacture and the other supply the manufactured product, and if the conjunction "and" is to be read as conjunctive and not disjunctive the two must be joined in one company or person, so that he or it both manufactures and supplies.

I am, therefore, of the opinion that your Commission has the same authority over a person, firm or corporation which furnishes natural gas as over one which furnishes manufactured gas.

If I am right in the conclusion above drawn, then you would have jurisdiction over the application made by the Andover Gas Company of Andover, N. Y.

Respectfully yours,
(Signed) GEO. E. PIERCE,
Deputy Attorney General in Charge.

March 3, 1906.

Hearings on applications — Proceedings confined to original and exclusive jurisdiction — Collateral questions not to be traversed — Consent of municipal authorities when established by competent evidence to be accepted as compliance with section 11 though its legality is attacked.

I am in receipt of your communication of the 9th instant, relating to the application of the Citizens' Lighting Company of Oswego, N. Y., for certificate of authority to transact business, and which application is now pending before your Commission.

You ask my opinion as to whether your Commission is authorized to and should permit the contestants to introduce evidence as to the consents of abutting property owners, which consents are a condition precedent to the grant of permission to this corporation to occupy the streets of the city of Oswego by the common council thereof.

The certificate of the applicant was filed in the office of the Secretary of State on November 9, 1905, and this corporation, therefore, comes within the provisions of chapter 737 of the Laws of 1905.

Section 11 of that act provides as follows:

"A corporation hereafter incorporated under the laws of this * * * state for manufacturing and supplying gas for lighting the streets, highways and public places, and for heating and lighting public or private buildings, or for manufacturing, using, transmitting and supplying electricity for producing light, heat or power for public or private buildings, or for lighting streets, highways and public places, shall not exercise any of its powers, or transact any business within this state until it shall have secured a certificate of authority therefor, signed and executed by the Commission under its official seal. Before such certificate shall be issued a certified copy of the charter of such corporation shall be

filed in the office of the commission, together with a verified statement of the president and secretary of the corporation, showing that it has received the required consent of the proper municipal authorities."

Two facts must be established before your Commission can entertain an application by a corporation proposing to supply gas for heating and lighting purposes in a municipality. These two facts are jurisdictional. One is, that you must be satisfied that there is in existence a legally incorporated company to whom you can issue your certificate of authority; and the second is, that you must be satisfied that such corporation has received the required consent of the proper municipal authorities. The latter fact is established presumptively by the filing with your Commission of a verified statement to that effect of the president and secretary of the corporation.

The difficulty in the case under discussion arises from the fact that section 44 of chapter 394 of the Laws of 1895, being the charter of the city of Oswego, provides as follows:

"The common council shall not have power and is hereby forbidden to grant permission to any person, company or corporation to lay or place in, upon or under, or encumber in any manner any of the streets, alleys or highways of the city with * * * with gas or water mains or pipes, or any other matter whatsoever, without and until the legal consent in writing, duly acknowledged, of at least one-half of the owners of abutting property shall first have been obtained and filed with the city clerk."

The certificate of authority which you are authorized to issue, by section 11 of the act creating your Commission, is opposed by an existing company now supplying gas in the city of Oswego, and upon hearing before your Commission this contesting company seeks to attack the consents of abutting property owners as filed with the city clerk.

Prior to the creation of your Commission, any corporation legally created, on obtaining the consent of the municipal authorities of a city, might, without other formality, enter upon the transaction of its business.

By the legislation of 1905, however, that which could have been done prior thereto on the consent of the municipal authorities can no longer be accomplished unless your Commission shall be satisfied, after an investigation, as to the necessity of the proposed

service and the good faith of the corporation and its officers, and having been convinced that the service is demanded by the circumstances of the locality, and that the company proposing to furnish the same is acting in good faith, you are empowered to grant a certificate which will permit the corporation to enter the proposed field.

Without such consent they are powerless to do so; should your Commission be satisfied, on the contrary, that the present service is ample and that the corporation is furnishing the same at fair and reasonable rates, then you are authorized to withhold your certificate of authority.

The authority conferred upon your Commission by this section did not exist prior to the legislation of 1905. The legislation clothing your Commission with this power intended that you should stand between ruinous competition and ruinous monopoly, for the protection both of the public and the owners of vested rights.

Section 61 of chapter 566 of the Laws of 1890 (The Transportation Corporations Law) provides as follows:

“Section 61. Every such corporation (gas and electric light corporations) shall have the following additional powers: If incorporated for the purpose of supplying gas or light, to manufacture gas, * * * and to sell and furnish such quantities of gas as may be required in each city, town and village named in its certificate of incorporation, for lighting the streets, and public or private buildings, or for other purposes, and to lay conductors for conducting gas through the streets, lanes, alleys, squares and highways in each such city, village and town, with the consent of the municipal authorities thereof, and under such reasonable regulations as they may prescribe.”

The consent of the municipal authorities specified in section 61 of the Transportation Corporations Law, is the consent of the municipal authorities which must be established before your board, by the requirements of section 11 of chapter 537 of the Laws of 1905. It is the general consent required by the general statute.

I am of the opinion you should not traverse the collateral questions that are raised by the contesting company in this case. Such as whether the members of the common council were legally members thereof; whether they had taken their oath of office as required by the Public Officers Law; whether a majority of the abut-

ting property owners had given their consents; whether they had been properly acknowledged; whether any of them had been revoked prior to the presentation of the same to the common council; whether in the case of executors, the will of the testator contained power of sale — these are all collateral questions, and the duty of deciding these devolved upon the common council of the city of Oswego. Of all such questions the courts have and had jurisdiction before the creation of your Commission. These matters should be tried before the tribunal established for the trial of such questions. Your Commission has imposed upon it a distinct, specific and important duty. It has a jurisdiction possessed by no court. It should confine its inquiries to those matters for which it was especially created. It was not the design of the Legislature that you should enter upon the trial of those numerous and intricate questions connected with the consent of the abutting property owners as required by this particular charter, or upon other and varying conditions that may exist in the charter of other cities and municipalities. These may and very frequently do differ in different municipalities. The general consent of a municipality which is required by the Transportation Corporations Law, before a gas company can enter upon its business, is the general consent of a municipality which it is your duty to ascertain has been given before you are authorized to issue a certificate of authority.

Any other conclusion would entail upon your Commission a vast amount of work in the decision of these collateral questions. When passed upon they are still open for the parties to litigate in a court. Original jurisdiction would still vest in the court to test their legality notwithstanding any conclusion to which your Commission might have arrived. The main questions before your body — namely, the good faith of the corporation, the character of the services which it can furnish and the treatment of the public by an existing corporation, are all questions of which you have original and exclusive jurisdiction.

I am aware of the line of decisions relating to the certificate of public necessity which the railway Commission is required to give before the company can commence the work of construction. But beyond the fact that the Railroad Law differs materially from that creating your Commission, I think the most that can be said of these decisions is that that Commission must be satisfied that there is in existence a legal corporation to receive their certificate.

I am, therefore, of the opinion that your Commission should satisfy itself as to the legal existence of the corporation applying

for this certificate, and also that the local municipal authority has given its consent, as required by section 61 of the Transportation Corporations Law.

That you ought not to go behind this consent of the municipal authorities and attack, or permit its legality to be attacked. I do not say that the presumption which is created by the filing of a verified statement by the president and secretary of the corporation showing that it has received the required consent, may not be rebutted, but having established before you by competent evidence the fact of such consent, I think your body should accept it as a compliance with the requirements of section 11 of the act creating your Commission, and should not try the question of the right of the common council to give its consent.

Yours respectfully,

(Signed) DANFORTH AINSWORTH,

Deputy Attorney-General in Charge.

April 16, 1906.

Service pipes — Expense of laying — Application of section 65 of Transportation Corporations Law.

I have your letter of April 4th, asking for an opinion on the question involved "In the matter of the petition of the Coney Island Realty and Improvement Company 'in re service charges by the Brooklyn Borough Gas Company.'"

Submitted with your letter is a copy of the petition of the Realty Company, together with a copy of a letter received from J. J. Humphreys, Jr., Manager of the Brooklyn Borough Gas Company.

From the petition and the copy of the letter accompanying the same, it would appear that the principal, if not the only question involved, is, whether the gas company should bear all of the expense, furnishing pipe and laying the same from its mains in the street to the building to be furnished with gas, whether the owner of the property to be thus furnished is to bear all of the expense, furnishing pipe and laying the same from the mains to his or its building, or whether each are to pay and bear a portion of this expense, and if each are to bear a portion, what such portion should be.

Section 61 of the Transportation Law gives to regularly incorporated gas and electric light corporations the right to lay

mains and conductors for conducting gas through the streets, lanes, alleys, squares and highways.

Section 65 of the Transportation Law requires any such gas or electric light company to furnish gas or electricity to any person owning property within 100 feet of the mains of such company, "provided that no such corporation shall be required to lay service pipes or wires for the purpose of supplying gas or electricity to any applicant where the ground in which such pipe or wire is required to be laid shall be frozen, * * * nor unless the applicant, if required, shall deposit in advance with the corporation a sum of money sufficient to pay the cost of his portion of the pipe or wire required to be laid, and the expense of laying such portion."

Subdivision 3 of section 2 of the Tax Law defines a special franchise for taxable purposes, as follows:

"A special franchise shall be deemed to include the value of the tangible property of a person, copartnership association or corporations situated in, upon, under or above any street, highway, public place or public waters in connection with the special franchise. The tangible property so included shall be taxed as a part of the special franchise
* * *"

From the above provisions it will be seen that a regularly incorporated gas company has the right to lay its pipes in, under and along the streets of a municipality; that it is the owner of any such pipes so laid, and is properly taxable therefor.

The abutting property owner has no right to make such excavations in the street. On the other hand, the gas company has no right to go on the lands and premises of the abutting owner for the purpose of laying service pipes without the consent of such owner.

I am, therefore, of the opinion that the provisions of section 65 of the Transportation Law above quoted, requires a gas company, to which an application is duly made, to connect and lay service pipes from its mains to the street line, such pipe to be furnished and laid at its own expense, and that the proper owner should pay the expense of furnishing and laying pipe from the street line to the building to be furnished with gas or electricity.

Respectfully yours,

(Signed) GEORGE E. PIERCE,

Deputy Attorney-General in Charge.

April 17, 1906.

Merger — Where ownership of stock by possessor company was complete before commission act took effect though certificate of merger filed afterwards, consent of commission not necessary to transfer of property — Transferors disseized by operation of law.

I acknowledge receipt of your favor of the 12th, inst. setting forth a copy of letter from Messrs. Stevenson & Stewart, attorneys, as follows:

"We have the following case before us and would very much appreciate your advising us whether or no a consent to merger is required from the Commission of Gas and Electricity.

"The following are the facts:

"1. Prior to the passage of the act establishing the Commission of Gas and Electricity on June 3, 1905, a certain gas corporation was the owner of all of the capital stock issued and outstanding of two other gas corporations which had franchises and property in the same territory.

"2. After June 3, 1905, resolutions were passed merging the two subsidiary companies into the main company and a certificate of such merger was filed with the Secretary of State at Albany on January 3, 1906.

"3. No assignments or transfers of franchises, leases or other property were made after the passage of the act establishing the Commission of Gas and Electricity, and no stock of any kind was purchased or acquired.

"4. The Secretary of State accepted such certificate of merger.

"5. The main company had been operating in the territory covered by the subsidiary companies for some little time prior to the passage of the act establishing the Commission of Gas and Electricity.

"It does not seem to us that any consent was necessary and yet, as we are looking into the bond issue of the company, we would very much appreciate your advice in the matter at your earliest convenience."

You request my opinion in the matter of the inquiry contained in the above referred to letter.

The two statutes which it is necessary to consider in determining the validity of this merger are chapter 737 of the Laws of 1905, section 13 (An act to establish a Commission of Gas and Electricity, etc.), and section 58 of the Stock Corporation Law, relating to mergers.

These statutes are as follows:

Laws of 1905, chapter 737, section 13.

"A corporation subject to the general supervision of the commission shall not transfer or lease its franchise, works, system or property or any part of such franchise, works, system or property to any other person or corporation or contract for the operation of its works, system and property without the written consent of the commission. No such corporation shall directly or indirectly acquire the stock or bonds of any other corporation incorporated for, or engaged in, the same or a similar business, or proposing to operate or operating under a franchise from the same or any other municipality, unless authorized so to do by the commission."

The Stock Corporation Law, section 58.

"Merger.—Any domestic stock corporation and any foreign stock corporation authorized to do business in this state lawfully owning all the stock of any other stock corporation organized for, or engaged in business similar or incidental to that of the possessor corporation may file in the office of the secretary of state, under its common seal, a certificate of such ownership, and of the resolution of its board of directors to merge such other corporation and thereupon it shall acquire and become, and be possessed of all the estate, property, rights, privileges and franchises of such other corporation, and they shall vest in and be held and enjoyed by it as fully and entirely and without change or diminution as the same were before held and enjoyed by such other corporation, and be managed and controlled by the board of directors of such possessor corporation, and in its name, but without prejudice to any liabilities of such other corporation or the rights of any creditors thereof. Any bridge corporation may be merged under this section with any railroad corporation which shall have acquired the right by contract to run its cars over the bridge of such bridge corporation."

The question is, in view of the ownership of all the stock by the possessor corporation, (as stated in the letter), before the Gas Commission Law went into effect, and in view of the filing of such certificate of ownership, and of the merging resolution of the board of directors to merge such corporation, *did such possessor corporation*, in the language of section 58 of the Stock Corporation Law, *thereupon "acquire and become and be possessed of all the estate, property, rights, privileges and franchises of such other corporations" etc.?*

Section 13 of the Gas Commission Law prohibits corporations from accomplishing two distinct results: First, losing control of their property for any period by transfer of lease, and second, from acquiring control of another corporation by acquisition of stock. The first prohibition is directed toward *transferors* and *lessors* of franchises, etc., prohibiting any affirmative steps looking toward the operation of their works, system and property by any other corporation without the consent of the Commission. In the case under consideration, in the language of the statute, no corporation "did transfer or lease its franchise, works, system or property." They became dis-seized of their property by operation of law without any affirmative act on their part whatever, and indeed, such a result could in no way have been prevented by them.

The second prohibition contained in section 13 is undoubtedly directed toward prospective lessees or transferees, for the corporations are forbidden to acquire the stock or bonds of corporations engaged in a similar business without the consent of the Commission. This portion of the section cannot possibly apply in this case, because such stock had already been acquired and reduced to possession before the Gas Commission Law went into effect.

I am of the opinion, therefore, that such resolution of merger became operative and effective upon the filing of the certificate in the office of the Secretary of State and that the operation of section 58 of the Stock Corporation Law in this case was one which required no consent from the Commission of Gas and Electricity.

Yours respectfully,

(Signed)

JULIUS M. MAYER,

Attorney-General.

APPENDIX "I."

COURT DECISIONS.

APPENDIX "I."

COURT DECISIONS.

**Eighty-cent Gas Act — Injunction pendente lite to restrain enforcement --
Excess over eighty cents paid into court.**

UNITED STATES CIRCUIT COURT — SOUTHERN DISTRICT OF NEW
YORK.

(June, 1906.)

CONSOLIDATED GAS COMPANY *v.* JULIUS M. MAYER, as attorney-general, WILLIAM T. JEROME, as district attorney, FREDERIC E. GUNNISON et al., constituting the N. Y. State Commission of Gas; &c., and THE CITY OF NEW YORK.

LACOMBE, C. J. The parties to this suit are all citizens of the State of New York, but the main contention — practically the sole intention — of the complainant is that certain statutes of this State and an order of the gas commission are obnoxious to various provisions of the constitution of the United States, and for that reason void. This court, therefore, from which appeal lies direct, without review by any intermediate tribunal, to the Supreme Court of the United States, not only has jurisdiction, but is the appropriate *forum*, because through a suit brought here a final decision by the ultimate interpreter of that constitution can be most quickly obtained.

This is a motion by the complainant for a continuance of the temporary injunction which was issued as the condition of an adjournment asked for by defendants, and also for an enlargement of the terms of such injunction. It is in no sense a hearing upon the merits of all the issues presented. The fundamental propositions in dispute involve many controverted questions of fact, and it is the practice of this court not to resolve such questions upon affidavits, but to reserve them for final hearing, where every sworn statement comes to the court, not *ex parte*, but after the test of a cross-examination.

The matters to be passed upon here and now can be most tersely and quickly presented by an analysis of the injunction order already made.

1. In entering that order the court did not find, nor did it express, nor even intimate an opinion that the action of the gas commission in fixing the price to be charged for gas at 80 cents per 1,000 cubic feet was confiscatory, nor that the act of the Legislature establishing the same price (chap. 125 of 1906) was in that respect unconstitutional and void. It did not undertake to abrogate or nullify that provision of the statute. As between the consumer and the manufacturer it left the question as to what the former should pay to the latter precisely where it stood before. Any consumer who might be asked to pay the old rate was left by the order entirely free to decline to pay it, and to make a tender at the new rate for the gas he had consumed. Naturally so, because (except for the city of New York, whose situation is exceptional) the individual consumer was not a party to the suit and had not been served with process. In the case of a consumer, who, upon demand, chose to pay the old rate, the order provided that the company should not cover the twenty cents difference into its treasury, but should leave it impounded under direction of the court, so as fully to insure its return to the person paying the same, in the event of the company's failing to succeed in its litigation. In the case of a consumer who chose to make tender at the new rate, and to stand upon whatever rights were secured to him by the action of the gas commission in fixing that rate and by the action of the Legislature in establishing the same rate, the order left him entirely free and untrammelled to apply for such relief as the law afforded him in the event of the company's seeking to compel payment of the difference. It was not perceived when the order was made, nor is it perceived now, upon what theory this court could by an injunction restrain any individual who was not a defendant and had never been served with process from himself applying to an appropriate court, if he should conceive himself to be aggrieved. What relief he might obtain when he so applied would be for that court to determine when it heard his application.

The order did, however, provide that the gas company might charge or demand payment at the old rate, and might collect at that rate from such as chose to pay, and it enjoined the defendants, who are public officers, and as such, the proper persons to institute and prosecute actions to enforce and recover certain statutory pen-

alties, from in any way *enforcing or attempting to enforce* two acts of the Legislature and an order of the gas commission, or any of the provisions thereof against the complainant, until it should have its day in court, upon such a case as it might be able to make, to question the constitutionality of that order and of those acts.

The reason why it was thought that a court of equity — irrespective of any question of the merits of the controversy as to the propriety of the new rate — should upon mere inspection of the statutes themselves, grant such temporary relief will be apparent upon the statement of a few elementary propositions of law and an analysis of certain provisions of those statutes.

A corporation which undertakes, for its own emolument, to supply gas to the inhabitants of a municipality under charters and franchises from the State which allow it to embark in such industry and invite its stockholders to invest their money therein, is engaged in what is called a "public service," or a "public utility," and therefore is under the supervision, inquisition and regulation of the State as to the manner in which it conducts its business. If, untrammelled by competition, it charges a price far above all reasonable cost to the helpless consumer, who must pay the price or go without, while it receives an exorbitant return on such of its property as is invested in the enterprise, the State may step in and reduce that price to such sum as will, taking everything into consideration, be a reasonable return upon what has been adventured in the enterprise on the faith of the State's franchises. No one disputes this proposition.

But in fixing such price the State should itself be fair and reasonable — should certainly stop short of confiscation. If it were established by uncontroverted proof that, in materials, labor and wear and tear of plant at the lowest conceivable valuation, the actual cost of producing gas of a proper standard in the holders was fifty cents per 1,000 cubic feet, it would be confiscation for the State to require the manufacturer to deliver such gas to all consumers at 5 cents per cubic foot. Such an act of the Legislature would be obnoxious to the constitution of the State, to the constitution of the United States, and to common right and justice. There may be persons who dispute this proposition, but it may safely be assumed that it is accepted by every community which lives under law and not under anarchy.

These are the two extremes, and somewhere between them there lies a dividing line. Who is to determine where that dividing line

lies? Under our system of government that question has always been left to the decision of the courts (*Reagan v. Farmers' L. & T. Co.*, 154 U. S., 362; *Smyth v. Ames*, 169 U. S., 466). Every individual, who feels himself aggrieved either by the action of some other individual or of the State or the nation, is secured the right to bring his grievance before some court. It may be a court of law or of equity, a court established by a statute or by a constitution, a State court or a Federal court, but somewhere or other there is provided for him a forum to which he can present his case, can support it by proof and have his hearing. That is "due process of law," a heritage from long centuries of struggle which this nation and its constituent States have deposited in the corner stones of their written constitutions. Every one is entitled — sometime, somewhere — to his "day in court." The most swollen aggregation of capital, crystallized into an individual by the act of the State or national government which has made it a corporation, is as much entitled to have free access to the courts as is the humblest toiler by night to whom every additional cent, disbursed for the light he works by, means a shrinkage of his food supplies.

There are two statutes dealing with the matter now in controversy. Neither of them in express terms undertakes to deny the complainant access to any court to test the merit of the contention it makes, viz: That the new rate is confiscatory and that, therefore, the old rate should be paid. But there are two sections in those acts which challenge consideration. In the Gas Commission Act (chap. 737 of the Laws of 1905) we find:

"§ 21. *Defense in cases of excessive charges.* If it be alleged and established in any action brought in any court for the collection of any charge for gas or electricity, that a price has been demanded in excess of that fixed by the commission or by statute in the municipality wherein the action arose, no recovery shall be had therein, but the fact that such excessive charges have been made shall be a complete defense to such action." In the act which provides that companies furnishing gas in the borough of Manhattan "shall not charge or receive for gas manufactured, furnished or sold * * * a sum per 1,000 cubic feet in excess of * * * 80 cents," we find the following:

"§ 3. Any corporation, association, copartnership or person violating any provision of this act shall forfeit the sum of \$1,000 for such offense to the People of the State."

The drastic character of these provisions will be perceived when their results are considered. If the gas company, pending the

final determination of a suit such as this to determine whether the Legislature has fixed a just and proper price, should charge its consumers the lower rate and receive the same without protest or demand of payment at the higher rate, it could never recover the difference, even should it be decided by the court of last resort that it was entitled to demand such higher rate. Having delivered its product for the particular month and received the amount it asked for such product, that transaction would be finally closed; both parties having agreed upon the price, without any reservation, it would be the contract price for that month's delivery, which the seller could not thereafter dispute. If it should take two or three years to get a final decision on the merits, the twenty cents difference of rate, all claim to which during the interim the company had thus abandoned, would concededly amount to several millions of dollars. Should the company ultimately prevail in the test suit, this would be an enormous fine to pay for the privilege of having its day in court. It could escape that fine only by demanding, on presentation of each monthly bill, payment at the higher rate, preserving its claim to the difference (whenever the lower rate was paid and received) by a protest which would reiterate the demand. The statute (chap. 737, Laws of 1905) undertakes effectually to close up that avenue of escape.

Ordinarily, when there is a dispute between seller and buyer as to the rate to be paid for anything, the question is settled by the seller bringing suit for the price of what he has sold calculated at the higher rate. The statute, however, practically undertakes to debar the company from bringing any such suits against its customers. The twenty-first section (quoted *supra*) provides that if in any action brought to collect any charge for gas it shall appear that a price has been demanded in excess of the rate fixed by the gas commission or by statute, that fact shall be a complete defense to the action — to the whole action, not only to so much of it as seeks to collect the excess, but also to so much of it as seeks to collect the amount concededly due. Now, whenever the seller of anything verifies a complaint to be used in an action at law which asserts that he is entitled to receive and asks to recover a sum of money, he may fairly be said to be preparing to make a demand therefor; and the moment he serves such complaint upon the buyer he has indisputably made such demand. But the statute says that the mere making of such a demand shall constitute a complete defense. In other words, if the statute is valid, the

cause of action which the plaintiff may think it has is slaughtered at the very moment it sets foot within the halls of justice. The merits of the controversy as to what rate should be charged will never be litigated in that action because no defendant would be so foolish as to discuss any such issue, when the mere fact that action is brought relieves him from all payment whatsoever.

The only course left for the gas company is to bring some direct suit, such as this, to test the constitutionality of the action of the gas commission and of the Legislature in fixing an eighty cent rate, and, meanwhile, to preserve its rights to the difference by demanding payment thereof, as each monthly bill is presented to each consumer. To close up this avenue of approach to the courts, however, the other act (chap. 125 of 1906) provides that whenever a manufacturer and seller of gas in the borough of Manhattan shall charge or receive anything in excess of eighty cents per 1,000 cubic feet, it shall, for each offense, forfeit \$1,000 to the people of the State, and section 1962 of the Code of Civil Procedure makes it the duty of the defendants, the attorney-general and the district attorney, to institute suits for recovery of such penalties. Every time the company demands payment for gas furnished at the higher rate, every time it receives such payment from any consumer, who may be willing to pay temporarily and abide the result of the test suit, it incurs such a penalty. For very many years it has been the custom in this borough to present monthly bills for gas sold, and it appears from the record that the complainant has upwards of 390,000 customers. The calculation is a simple one. Long before this test suit could be heard next fall, the aggregate of the penalties incurred would utterly wipe out the entire property of the complainant, whether it were worth the amount found by the gas commission, or were worth the highest estimate at which the most astute and experienced financiers might capitalize it.

Commenting upon a statute which prescribed similar cumulative penalties for every charge of more than a certain sum per head for yarding cattle, where a few days' violation of the statute by merely *charging* a higher rate would exhaust the entire value of the property in satisfaction of the penalties incurred, Mr. Justice Brewer, writing the opinion in *Cotting v. Kansas City Stock Yards Co.* (183 U. S., 79), says: "Do the laws secure to an individual an equal protection when he is allowed to come into court and make his claim or defense subject to the condition that upon

a failure to make good that claim or defense the penalty for such failure either appropriates all his property or subjects him to extravagant and unreasonable loss? Suppose a law were passed that if any laboring man should bring or defend an action and fail in his claim or defense, either in whole or in part, he should in the one instance forfeit to the defendant half of the amount of his claim, and in the other be punished by a fine equal to half the recovery against him, and that such law by its terms applied only to laboring men, would there be the slightest hesitation in holding that the laborer was denied the equal protection of the laws? The mere fact that the courts are open to hear his claim or defense is not sufficient if upon him alone there is visited a substantial penalty for a failure to make good his entire claim or defense. * * * Suppose a statute providing that every corporation failing to establish its entire claim, or to make good its entire defense, should as a penalty therefor forfeit its corporate franchise, and that no penalty of any kind, except a matter of costs, was attached to like failures of other litigants, could it be said that the corporations received the equal protection of the laws? * * * A statute (although in terms opening the doors of the courts to a particular litigant) which places upon him as a penalty for a failure to make good his claim or defense a burden so great as practically to intimidate him from asserting that which he believes to be his rights is, when no such penalty is inflicted upon others, tantamount to a denial of the equal protection of the laws." In the case cited the judges who concurred in reversing the judgment appealed from did so upon another ground, but the language of Mr. Justice Brewer, dictum though it be, commends itself as a clear and forceful exposition of the law.

It is difficult to see in what respect the provisions of the two acts now under consideration differ from those passed upon in the Kansas City Stock Yard case, except that they are, perhaps, more drastic. On this branch of the case there is no controversy as to the facts, and under the opinion last quoted these provisions seem obnoxious to the Fourteenth Amendment to the Constitution of the United States. In order, therefore, to secure to the complainant its right to prosecute this suit to its orderly conclusion, without meanwhile being trammelled — or, as it may be more appropriately expressed, overwhelmed — by multitudinous actions for cumulative penalties, the temporary injunction which restrains the public officers, who are made defendants, and any

one else whom the injunction may reach and hold, from *enforcing or attempting to enforce* the provisions of the acts and order of the gas Commission against the complainant, will be continued until final hearing and decision of the cause in this court. The judge, who hears the cause upon the merits of the whole case, may find some good reason for modifying the injunction, or even for vacating it, but on the record as it stands now, to this measure of relief the complainant seems clearly entitled.

2. The application to extend the terms of the injunction, so as to enable complainant to collect the twenty cent difference by summary measure (such as refusal to supply gas), from such consumers as may not be willing to pay it, to have it impounded and to abide the result of this suit, presents different questions and brings us into a field of controversy upon the facts. However obnoxious the statutory provisions already discussed may be to the prohibitions of the Constitution, it would seem that their elimination would still leave a statute consistent and complete. Provisions hampering the right to question a rate fixed by legislative action are not essential to a scheme which undertakes to fix such rate. "It is familiar law that one section or part of an act may be invalid without affecting the validity of the remaining portion of the statute. Any independent provision may be thus dropped out if that which is left is fully operative as a law, unless it is evident from a consideration of all the section that the Legislature would not have exacted that which is within, independently of that which is beyond its powers." *Regan v. Farmers' L. & T. Co.*, 154 U. S. 362.

The complainant contends that it should be protected against the irreparable injury it would suffer by reason of its inability after two or three years to collect, in the event of ultimate success, the unpaid differences from a floating aggregate of consumers, some of whom will disappear and others of whom are pecuniarily irresponsible, so that a judgment against them would not be worth the cost of entering it. It is thought that complainant's apprehensions in this respect are exaggerated. On the contrary, it seems quite likely that the great bulk of its customers will prefer to pay the small amount of excess rate demanded each month, when assured that the sums thus paid will remain secure and intact, to be repaid upon the termination of the test case, should complainant not succeed therein, rather than to begin a multiplicity of suits to prevent the company from making its collections

in the usual manner. The first two or three months will show how this will be. Meanwhile, each individual is left free to make his election, and a loss, possibly a heavy one, may result, which, in the event of final success, the company could not recover. This is an argument which has always appealed most strongly to courts of equity, and there are abundant authorities to support the proposition that pending the decision of a doubtful question the *status quo*, proper security being exacted, should be preserved. But the courts in all such cases also take into consideration what is the character and measure of the doubtfulness. Here the State, which concededly has the right to fix a proper rate, has prescribed a rate, whose propriety is challenged. *Prima facie* it is to be presumed that the State's rate is a proper one, and the burden is upon the complainant to show that it is not. If we are correct in the assumption that the penalty clauses already discussed are not an essential part of the statute without which it would be abortive, then the question of the propriety of the rate can only be decided upon a careful and exhaustive examination of many facts and deductions therefrom, some of which will certainly be controverted. In the Kansas Stock Yard case, which is mainly relied upon, the fundamental vice of the statute was that it undertook to provide that the owner of a single stock yard should charge only a named sum for each head of cattle, while the owners of all other stock yards in the State, and there were several of them, might charge what they pleased. That vice could be as clearly demonstrated, by undisputed affidavits, to a court upon application for preliminary injunction, as it could be at final hearing. A similar vice is alleged to inhere in the later act (of 1906), fixing the eighty-cent rate, which subjects New York city gas corporations to a different rule from that applicable under the Gas Commission Act of 1905, to all the other gas corporations in this State. But if the Gas Commission Act be held to be itself unconstitutional (as complainant, with great apparent force, contends here) this argument will not be so persuasive.

3. If the only subject of inquiry were the rate fixed by the Gas Commission a different situation would be presented. Under the authorities, in fixing the rate to be charged for "public service" by private corporations, two elements of calculation are of fundamental importance. What is the true present value of the property embarked in the enterprise? and what, in view of the risks of the business, is a fair annual percentage of return thereon?

That percentage would not necessarily be the same in every variety of business. The manufacture, storage and delivery of a highly explosive material is a more risky business than is the transforming of flour into bread, or of leather into shoes, and the delivery of such products. The Commission reached the conclusion that 8 per cent. was a proper return on property invested in the gas business. In estimating the value of the property of complainant embarked in the business the Commission reached the conclusion that the franchises, under which it has laid mains and is delivering gas and which are a part of its property, should be considered as of no value whatever, although the State, through the action of its taxing officers, has declared that it is worth several millions of dollars. It is suggested that some of these franchises have expired or lapsed in some way. That proposition need not be considered because it is not asserted that all of them have lapsed. The complainant has taken over the franchises of many different corporations granted at different times. So long as a substantial part of these still remain the argument is not affected, except as to details of result. The reason assigned by the Commission for not including the value of the franchises is that "they were granted by the people without compensation." That is so. These franchises were granted very many years ago, at a time when there seems to have been no intelligent appreciation of the fact that they might become enormously valuable; when reckless improvidence was the rule and all sorts of franchises were given away without any provision for securing to the State its fair share of unearned increment thereon. Nevertheless, when the State offers a franchise to whomever will take it without requiring any money return thereon, and for the sole consideration that the taker shall promptly, continuously, and fully develop it by the expenditure of his own money, and such offer is accepted and the terms of the agreement carried out by the taker, there results a contract, which — with due consideration of all proper conditions and limitations inherent in the nature of the particular contract — is as much within the protection of the Constitution as are all other contracts. If the State twenty-five or fifty years thereafter should say to the taker: "We were very improvident in not providing that you should pay us something each year for this franchise; therefore, hereafter you shall pay us 8 per cent. annually on \$10,000,000 or \$20,000,000, or we will evict you from the franchise," it might find itself em-

barrassed by the provisions of the Constitution in thus undertaking to avoid the results of its own improvidence.

A franchise, whatever its value may be, which has not expired, nor lapsed, nor been in some way forfeited, is property in the hands of its holder. There is force in the argument that when the State says: "We will value this property at several millions of dollars when we tax you on it, but at nothing at all when we fix the rate you may charge for your product in order to receive an 8 per cent. return on your property," it is seeking to accomplish by indirect methods what it might not be able to accomplish directly. Moreover, it is contended that the act of 1905, under which the Gas Commission acted, is obnoxious to the Constitution for grounds not already discussed, apparent on the face of that act itself.

4. But in the case at bar these arguments seem wholly academic. Irrespective of any action of the Gas Commission, the Legislature has itself fixed the eighty-cent rate, and there is nothing to indicate upon what it predicated such action. For aught that we know it may have reached the conclusion that the Commission was in error in not including the franchises at their taxable value in the estimate of complainant's property; and may, at the same time, have concluded that 7, or 6, or even 5 per cent. was a proper return to be received by the owner of such property. This brings us to the fundamental question presented by the pleadings: Is the rate, fixed by the Legislature, eighty cents, so low as to be unjust or confiscatory? As was indicated at the outset of this opinion, there can be no intelligent answer given to this question until the whole case is presented upon testimony taken, not *ex parte*, but according to the rules for taking testimony in equity causes. Therefore, until the court at final hearing may have the opportunity to pass upon such a record, although the existing order is continued, its terms will not be enlarged so as to undertake to restrain the actions of individual consumers, who are not parties to this suit and have not been served with process.

5. A few minor details remain to be disposed of.

A. The city of New York is the largest consumer; an undoubtedly solvent consumer and the only one made a party defendant. The rate it is to pay is not regulated by the action of the Gas Commission, nor by either of the two acts already considered. Chapter 736 of the Laws of 1905 provides that it shall pay only seventy-five cents per 1,000 cubic feet, and to that act there is

raised an additional constitutional question not heretofore discussed. The representatives of the city and of the complainant have had no difficulty during two or three years of controversy in arranging a *modus vivendi* whereby all rights of either side are reserved and gas is furnished as required. It is not to be anticipated that there will be any difficulty about continuing such arrangement, but to facilitate it the order now to be entered may provide that payment by the city at the seventy-five-cent rate and acceptance thereof by complainant under protest shall not operate as an accord, satisfaction, waiver, or estoppel to the prejudice of either side in any litigation, pending or future. Such a clause may make it practicable for these contestants to eliminate some questions as to accruing interest.

B. This court fully appreciates the importance of a prompt disposition of this cause, which not only presents questions of grave importance, but which also (including the other causes heard at the same time) affects the interests of nearly half a million of households. There is no apparent reason why a final hearing on the merits should not be reached with reasonable expedition. In the event of demurrer or exceptions to any pleading being filed by either side, this court will hear and dispose of the same at any time during vacation, upon a week's notice. As soon as the cause is at issue, upon request of either side and upon four days' notice, the court will apportion the three months which the rules allow for taking the testimony. Promptness on the part of complainant which evidently has large interests at stake may fairly be assumed, but it may be insured by the insertion in the order of a clause providing that in the event of any unreasonable delay, application may be made to suspend the injunction. Promptness on the part of the defendants is equally assured. They are public officers, who not only represent the State, but are also, in this test suit, the representatives of the great body of consumers who will be insistent to secure a speedy determination of the questions at issue.

It should be borne in mind that the controversies of fact presented are not new. The entire field has been fought over before the Gas Commission and elsewhere. Each side knows just what evidence it requires to support its contentions and knows, too, where the evidence is to be found. The great bulk of the proof is already prepared, probably already in type; charters, contracts, reports, exhaustive tabulations of receipts, disbursements, percentages, calculations, etc., are immediately accessible and will, no

doubt, with proper reservation of exceptions as to their materiality, be stipulated in by consent of counsel. When the cause is placed upon the calendar, its great public importance will insure its being given a preference, and it seems reasonable to expect that it can be finally submitted on the merits not later than November of this year.

C. The Supreme Court in Chicago, *M. & St. P. R. R. v. Tomkins* (176 U. S., 167) has indicated the practice to be followed in cases of this kind. The testimony should not be taken before an examiner, but before some competent master who is to make all needed computations and find fully the facts. Such a disposition will, at the proper time, be made of this cause.

D. The order continuing the injunction should contain a clause providing that in the event of complainant failing to succeed finally in the litigation the preparation of the papers required for refund and the distribution of the amounts due to the respective consumers (including such interest as the condition of the fund after paying expenses of administration may warrant) shall be performed by the company; and upon its being shown that refund has been made to any consumer by crediting the amount due him upon any current monthly bill or bills, or otherwise, such amount shall be returned to the company, week by week, or at such shorter intervals as the court may approve. It will also contain a further clause that all consumers who may change their address or may remove out of the borough should notify the clerk of the court or the gas company of such change of address, to the end that whatever refund they may be eventually found entitled to may be paid to them at their new address without their being put to the inconvenience of coming to the special master or to the company to collect it.

JACOB RICHMAN, Respondent, *v.* CONSOLIDATED GAS COMPANY
OF NEW YORK, Appellant.

(Decided October 16, 1906.)

Eighty-cent Gas Act—Injunction proceedings to prevent cutting off supply on refusal to pay former rate—Principle of comity.

HAIGHT, J. The defendant is a corporation engaged in the business of manufacturing gas and conducting and supplying the same to consumers in the city of New York. The plaintiff occupies a room in No. 484 Sixth avenue in said city, and is a consumer of gas furnished by the defendant. Prior to the first day

of May, 1906, the maximum price which the defendant was authorized to charge such consumer was one dollar per thousand cubic feet, but after that date the maximum price which it was permitted to charge was reduced to eighty cents per thousand cubic feet by order of the gas commission and by the provisions of chapter 125 of the Laws of 1906. Thereafter the defendant rendered to the plaintiff a bill for the gas consumed by him for the month of May at the rate of one dollar per thousand cubic feet, which he refused to pay, but tendered to the defendant the amount of such bill at eighty cents per thousand cubic feet. This amount the defendant refused to accept, and then threatened to cut off the gas from the plaintiff's premises and remove the meter therefrom. Thereupon this action was brought to restrain the defendant from so cutting off the gas from the plaintiff's premises and refusing to continue to supply him therewith, and an injunction *pendente lite* was granted in accordance with his prayer for relief, which is now brought up for review.

It appears that prior thereto a bill of complaint was filed on behalf of the defendant company as complainant in the Circuit Court of the United States, in which the attorney-general of the State, the district attorney of the county of New York, the city of New York and the gas and electricity commission of the State were made parties defendant, in which the complainant prayed for judgment that the statute of the State creating the gas commission, and that of chapter 125 of the Laws of 1906, fixing the maximum price of gas at eighty cents per thousand cubic feet, be decreed to be illegal and void as in contravention of the fourteenth amendment of the Constitution of the United States and of section ten, article one, of that Constitution, and that pending the final determination of that action an injunction was issued restraining the defendants from attempting to enforce the provisions of the statute in the meantime.

Much has already been written upon the subject, by the circuit judge, the Special Term and Appellate Division justices, and we recognize the fact that the questions involved in the litigation are of great importance; but in view of the fact that the rights of the parties depend upon the questions of constitutionality of the acts alluded to and that those questions will have to be ultimately determined by the Supreme Court of the United States, we have thought it advisable to refrain from any general discussion of the questions that may be involved and to confine ourselves to a state-

ment of the grounds upon which we base our answers to the questions certified.

The filing of the bill in the Circuit Court of the United States by the Consolidated Gas Company, undoubtedly, gave that court jurisdiction to finally determine the constitutionality of the acts complained of; but the mere filing of the bill did not operate to suspend the provisions of the statute pending the final adjudication by that court as to the constitutionality of the acts. We are, therefore, called upon to examine the injunction that was issued pending the trial of the case for the purpose of determining how far the officers of the State, the municipality and the consumers of gas are affected by its provisions. By referring to the provisions of the injunction we find that the officers of the State and the municipality, who were made parties to the action, are first enjoined and restrained from in any way enforcing or attempting to enforce the provisions of the acts referred to until the final adjudication upon the trial of the case. The learned circuit judge then provides that the gas company may make the same charges for gas to its consumers, as it was authorized theretofore to charge, and that, as to the payments made thereon, twenty cents per thousand cubic feet should be paid into court and deposited in a bank specified, there to remain until the rights of the company and the consumers were finally determined. There is no provision in the injunction which requires the consumers to pay one dollar per thousand cubic feet for the gas used by them, or to refrain from defending any action that should be brought against them to recover that amount, or from maintaining any action to prevent the gas company from enforcing the payment of such amount by cutting off the gas from their premises. Indeed, the learned circuit judge, in his opinion granting the injunction *pendente lite*, construes its provisions and expressly states that "as between the consumer and the manufacturer it left the question as to what the former should pay the latter precisely where it stood before. Any consumer who might be asked to pay the old rate was left by the order entirely free to decline to pay it and to make a tender at the new rate for the gas he had consumed. * * * The individual consumer was not a party to the suit and had not been served with process. In the case of a consumer who, upon demand, chose to pay the old rate, the order provided that the company should not cover the twenty cents difference into its treasury, but should leave it impounded under the direction of the court so as to

fully insure its return to the person paying the same in the event of the company's failing to succeed in its litigation. In the case of the consumer who chose to make tender at the new rate and to stand upon whatever rights were secured to him by the action of the gas commission in fixing that rate and by the action of the legislature in establishing the same rate, the order left him entirely free and untrammelled to apply for such relief as the law afforded him in the event of the company's seeking to compel payment of the difference." That the gas company so understood and construed the injunction order is apparent from the fact that the company moved to extend the terms of the injunction so as to enable the company to collect the twenty cents difference by summary measures from such consumers, such as by refusal to supply them with gas, which motion the Circuit Court judge refused. We conclude, therefore, that the injunction order issued in this action is not in conflict with that issued in the action pending in the United States court, and that the Supreme Court of this state had jurisdiction to entertain this action, and that there is nothing in the principle of comity that prohibits the state court from entertaining jurisdiction to the extent of granting the injunction in this case.

As to whether the Circuit Court could, or should, enjoin the consumers from bringing actions in the state courts, is a question for the Federal courts to determine. In this action the plaintiff has secured through the injunction issued his right to receive, or be furnished, gas during the pendency of the action. The defendant is protected in its right by the undertaking which has been given to pay it the damages which it may sustain by reason of the injunction. Inasmuch as the Circuit Court had previously obtained jurisdiction to determine the constitutional questions involved, it may be that our Supreme Court, in case that action is prosecuted with diligence, should stay the trial of this action until the determination of that court of the issues in that action, but that question involves the discretion of our Supreme Court, and should be determined by it.

The order appealed from should be affirmed, with costs, and the questions certified answered to the effect that our Supreme Court has jurisdiction and that there is nothing in the principle of comity that prohibits it from entertaining jurisdiction.

CULLEN, Ch. J., EDWARD T. BARTLETT, VANN, WERNER, WILLARD BARTLETT and CHASE, JJ., concur.

Order affirmed.

IKE I. SCHNEIDER, Respondent, *v.* NEW AMSTERDAM GAS COMPANY and CENTRAL TRUST COMPANY OF NEW YORK, Appellants.

(First Department, December 7, 1906.)

Appeal by the defendants, the New Amsterdam Gas Company and another, from an order of the Supreme Court, made at the New York Special Term and entered in the office of the clerk of the county of New York on the 3d day of July, 1906, restraining the defendant, the New Amsterdam Gas Company, from cutting off the plaintiff's supply of gas, by reason of his refusal to pay more than eighty cents per 1,000 cubic feet.

Eighty-cent Gas Act. (See 15.)

SCOTT, J. The plaintiff has obtained an injunction *pendente lite* restraining the defendant, the New Amsterdam Gas Company, from discontinuing, cutting off or refusing to supply him with gas, and from removing his gas meter and other appliances for the supply of gas, because of plaintiff's refusal to pay more than eighty cents for each 1,000 cubic feet of gas consumed upon the premises. The complaint upon which the injunction was granted recites the passage of the act known as chapter 125, Laws of 1906, which in terms fixed the price of eighty cents per 1,000 cubic feet as the maximum legal rate which the defendant gas company is authorized to charge or receive in the borough of Manhattan; the rendition of bills to plaintiff at the rate of one dollar per 1,000 cubic feet; the tender of payment therefor at the rate of eighty cents per 1,000 cubic feet; the refusal of the defendant gas company to accept payment at that rate, and its threat to discontinue the supply of gas unless the bills therefor be paid at the rate specified therein. In granting the injunction the court below recited in its order that it did so "on the authority of *Jacob Richman v. Consolidated Gas Company of New York*, and not in the exercise of the discretion confided to the Special Term." In the *Richman* case an injunction based upon substantially the same state of facts was sustained by the Court of Appeals for reasons of comity, because the one question involved, to wit, the constitutionality of the act of 1906, was likewise involved in an action of which the Circuit Court of the United States in this circuit had taken jurisdiction, and it was deemed that it would be best that the State courts should not undertake

to pass upon the question under consideration by a Federal court of ample jurisdiction. If the facts now presented were identical with those presented in the *Richman* case there could be no doubt of the propriety of the course adopted at Special Term. They are not identical, however. It is made to appear that the defendant Central Trust Company of New York is trustee for the bondholders under a mortgage executed by the defendant gas company covering property of various kinds; that said trust company as trustee commenced an action in the Circuit Court of the United States against the defendant gas company and others, and applied for and obtained an injunction therein, wherein, among other things, the said gas company was enjoined and restrained from accepting eighty cents per 1,000 cubic feet for gas manufactured and supplied by said defendant New Amsterdam Gas Company to any consumer, or any rate less than that which was in effect prior to the date of the aforesaid act, for gas supplied to its customers. This fact, not present in the *Richman* case, seems to us to create a condition calling for the exercise of discretion by the court, either as to granting or refusing the injunction, or in affixing conditions to its grant or refusal. As things now stand the defendant gas company is placed in a dilemma. It cannot, under the order appealed from, compel the payment of more than eighty cents per 1,000 cubic feet, and it cannot, under the injunction of the Federal court, accept eighty cents, or any sum less than one dollar. The result of continuing this injunction would be to compel the gas company to continue to furnish gas, and prevent its collecting any price at all for the amount so furnished. It would be inequitable and unjust to leave the defendant gas company in this position, and while this court has the undoubted power to exercise such judicial discretion as is vested in the Supreme Court, that discretion should first be exercised in a case like the present by the court at Special Term. While we have no authority to construe an order of the Federal court, and should not attempt to do so, the restraining order in the action brought by the defendant trust company may possibly be construed to restrain only the acceptance of eighty cents per 1,000 cubic feet as payment in full for the gas furnished, leaving it no violation of the order to accept that sum on account, with proper security for the payment of the differences between that sum and one dollar per 1,000 cubic feet if the act of 1906 should ultimately be found to be invalid. If this view should prevail, it would be necessary that the payment of eighty cents per 1,000 cubic feet should be accom-

panied with sufficient evidence that it was not paid or accepted in payment of the bill for gas, but merely as a sum paid on account, and since the final determination as to the validity of the act of 1906 may be long delayed, ample and certain security should be exacted for the payment of the unpaid twenty cents per 1,000 cubic feet if the invalidity of the act should be established. On the other hand, it may be made to appear either that ample provision has already been made by the Federal court, or can be made by this court, to insure the repayment to plaintiff of the excess paid by him, in case the injunction *pendente lite* be refused and the act of 1906 afterwards declared to be valid. We apprehend that the court below will encounter no difficulty in exercising its discretion in such a manner as to safeguard the rights and interests of both parties.

The order will, therefore, be reversed, with ten dollars costs and disbursements, and the motion remitted to the Special Term to be disposed of upon the merits.

MCLAUGHLIN and CLARKE, JJ., concurred; INGRAHAM and HOUGHTON, JJ., dissenting in part.

INGRAHAM, J. I think this order should be reversed and the motion for an injunction denied. The United States Circuit Court has enjoined the gas company from accepting eighty cents per 1,000 cubic feet for gas manufactured and supplied by the company to any consumer, or any rate less than that which was in effect prior to the date of the aforesaid acts and order for gas supplied by it to its customers. Just how the United States Circuit Court will construe this injunction does not appear, but I do not think that this court should compel the gas company to run the risk of a determination of the Circuit Court that in accepting eighty cents from the plaintiff it was violating the injunction and was thus in contempt. The order of the United State court amply protects the plaintiff, as if the bill is dismissed in the United States Circuit Court the plaintiff would be able to obtain repayment of all he has paid in excess of eighty cents. The protection of the plaintiff does not require that this injunction should be granted, and I certainly think that no careful counsel would advise the gas company that it is safe to receive any sum less than one dollar for the gas furnished to its customers in the face of this injunction of the United States Circuit Court.

HOUGHTON, J., concurred.

Order reversed, with ten dollars costs and disbursements, and motion remitted to Special Term. Order filed.

TIMOTHY CADIGAN, Appellant, v. GLENS FALLS GAS AND ELECTRIC LIGHT COMPANY, Respondent.

(Third Department, May 2, 1906.)

Negligence — Explosion of gas injuring employee.

APPEAL by the plaintiff, Timothy Cadigan, from a judgment of the Supreme Court in favor of the defendants, entered in the office of the clerk of the county of Warren on the 8th day of December, 1905, upon the dismissal of the complaint by direction of the court after a trial at the Warren Trial Term.

The plaintiff, under the direction of one Moran, the general foreman of defendant's works, and with him and two other men, was taking a plug from a six-inch Y branching off from an eight-inch pipe in the basement of the defendant's works, and inserting a valve in place thereof. It was the duty of the two men to lift and put the valve, which weighed about one hundred pounds, in place after the plug was removed; it was the duty of the plaintiff to hold a burlap bag in the pipe to prevent the escape of gas after the plug was taken out and while the valve was being inserted, and of Moran to fit the valve and finish the work. The eight-inch pipe connected the works with the main holder which supplied gas in the village. The work was being done in the basement of the building, a room about eight by eleven feet and about six feet high. The gas works were not shut down while the change was being made, and in some way an explosion occurred, threw down the walls of the building, caused a fire, and quite seriously injured the plaintiff, who brings this action to recover for such injury. He had worked for the defendant about three and one-half years, principally upon the streets in making connections in the open air with small pipes. He had assisted twice before in making connections somewhat similar to this in the building, but then the works were shut down so there was no pressure to force the gas from the pipes. Immediately over the room where this work was going on was the meter room, and there was an opening of about two feet in the floor between the rooms, which hole was nearly but not quite over the pipe where the plug was removed and where the plaintiff was standing, and a gas jet near the hole was always burning in the meter room, with a small light, to show the quality of the gas at any time. The plaintiff knew that if gas escaped in an enclosed place and came in contact with the flame, an explosion would result. If the pressure is turned off and the pipe opened,

the gas in the pipe naturally comes out into the open air, and the plaintiff swears he supposed the pressure was turned off and that the burlap bag was only being used to hold in the pipe the gas naturally remaining there and which would otherwise escape. When the superintendent directed Moran, the general foreman, to do this work, he told him the gas must not be shut off as the amount in the tank was low, and Moran told him there was no rubber bags to put in the pipes and that with the pressure on and without the bags the work was dangerous, and the superintendent said they could not wait, the work must be done and they must take the chance. The plaintiff was not told of the danger, or that the pressure was still on the pipes. In making changes similar to this the pressure is usually shut off, or a small hole is drilled in the pipe, a rubber bag inserted and then expanded by the air pump so that it will fill the pipe and prevent the escape of gas. The evidence shows that it is probable that if either of these methods had been resorted to the accident would not have happened. It is not quite clear whether the lighted gas in the room above caused the explosion, or whether it arose from a spark caused by Moran using a chisel upon the iron pipe. The witnesses say that they saw no spark or light before they heard the explosion. The notice was served under the Employers' Liability Act (Laws of 1902, chap. 600).

KELLOGG, J. The defendant owed the plaintiff a reasonably safe place in which to work, free from hidden unexpected dangers known to the master but unknown to the servant, and by ordering this connection made with the pressure on and without the use of the usual bag, a fair question was presented whether the defendant was not negligent in discharging the duty it owed to the plaintiff. The defendant knew that the manner in which it was doing this work was unusual and was dangerous. The serious question is whether the plaintiff knew that the pressure was on, appreciated the danger and assumed the risk. His former work had been in making connections in the open air, with small pipes, which connections usually are, and safely can be made, without turning the pressure off. From his knowledge of the business and his familiarity with the situation, did he know, or should he have known from the manner in which the work was being done, that the pressure was still on? He swears the burlap bags were used, as he supposed, to retain in the pipe the gas which was there and which would naturally escape even though the pressure was turned

off. Is that true? If he had reason to believe that the pressure had been turned off, was he negligent in staying at the work after the discovery that such was not the fact? Here the evidence is not entirely clear. Some of it tends to show that some time elapsed between the time the plug was pulled out and the explosion. Others put the explosion at about the time the plug was pulled out. If some time elapsed after the plug was pulled out, would a reasonably prudent man throw down his bag and run, knowing that there was a light over his head which might cause an explosion, or would he deem it his duty to remain and try and hold the gas in the pipe with the burlap bag, hoping to prevent an explosion? The nonsuit cannot be sustained upon the theory that Moran, while acting as a fellow-servant, caused the explosion by producing a spark with his chisel. It is not clear that the explosion did not occur from the gas jet above, and the fact that no spark was seen and that the workmen heard an explosion before they saw a light, was proper to be considered as to whether a spark or the gaslight caused the explosion. Besides, if the defendant was negligent in putting the plaintiff in this place, surrounded by dangers unknown and unexpected by him, it cannot shield itself by showing that the act of the fellow-servant brought about the injury which the hidden dangers of the place made probable. It seems that these questions and the inferences to be drawn from all the circumstances were peculiarly for the consideration of the jury and not for the court. The Employers' Liability Act (Laws of 1902, chap. 600) required the question of assumption of risk to be submitted to the jury. The judgment should be reversed and a new trial ordered, with costs to the appellant to abide the event.

All concurred.

THE PEOPLE OF THE STATE OF NEW YORK EX REL. THE ALBANY ELECTRIC ILLUMINATING COMPANY v. FREDERIC E. GUNNISON, JOHN C. DAVIES and LUCIAN L. SHEDDEN, constituting the Commission of Gas and Electricity of the State of New York.

PEOPLE OF THE STATE OF NEW YORK EX REL. THE MUNICIPAL GAS COMPANY v. FREDERIC E. GUNNISON, JOHN C. DAVIES and LUCIAN L. SHEDDEN, constituting the Commission of Gas and Electricity of the State of New York.

(Supreme Court, Special Term, Albany County.)

Proceedings of Commission of Gas and Electricity—Writ of prohibition does not lie to restrain.

FITTS, J. This is an application by the relator, in each of the above entitled proceedings, for a writ of prohibition restraining Frederic E. Gunnison, John C. Davies and Lucian L. Shedden, constituting the Commission of Gas and Electricity of the State of New York from further proceeding, investigating or inquiring in, upon or with respect, to certain complaints filed with said Commission, regarding the price of gas and electricity in the city of Albany.

In the first entitled proceeding, the complaint was filed by the mayor of the city of Albany; that being the city in which the relators' plant is located, and in which it is doing business.

In the second entitled proceeding, the complaint is made by one hundred customers of the relator and which is also located and doing business in the city of Albany.

The complaint against the Electric Light Company relates mainly to the price at which electricity is manufactured, sold and supplied in the city of Albany and requests that the Commission investigate as to the cause for the complaint and that it inspect the work, system, plant and methods used by said corporation in manufacturing, transmitting and supplying electricity in the city of Albany to the end that the maximum price of electricity to be charged by the corporation in the city of Albany may be fixed pursuant to the provisions of chapter 737 of the Laws of 1905.

The complaint against the Municipal Gas Company relates to the illuminating power, purity, pressure and price at which gas is sold and delivered by said relator to its customers in the city of Albany, and likewise requests an investigation as to the cause of the matters complained of, in accordance with the provisions of chapter 737 of the Laws of 1905.

The relators were served with a copy of the complaint and notice that a public hearing thereon would be held at a date to be thereafter fixed by the Commission. The Commission thereafter fixed a date for a hearing and gave notice thereof to the relators.

At the time and place fixed by the notice of the Commission, the relators in each of those proceedings appeared by its attorneys and counsel specially and solely for the purpose of objecting to the jurisdiction of the Commission, and the following objections were then had and there interposed:

"1. That the Commission of Gas and Electricity of the State of New York has no jurisdiction over the said Municipal Gas Company in the premises or concerning the matters presented by the petitioner in these proceedings.

"2. That the act creating said Commission, namely, chapter 737 of the Laws of 1905, is the violation of the rights of said company in the premises, and concerning the matters presented by the petitioner in these proceedings under the Constitution of the State of New York and the Constitution of the United States, and said act, under which said Commission assumes to act in these proceedings, is null and void.

"3. That the said act creating the Commission, in so far as it confers upon said Commission the authority to investigate in the premises or concerning the matters presented by the petitioner in these proceedings, is an illegal and unlawful delegation of legislative power, and that said Commission has no lawful authority so to proceed.

"4. That the act creating the said Commission, in so far as it confers upon said Commission the authority, after such investigation, to fix the maximum price of gas which shall be charged by the Municipal Gas Company, and to order any improvement in the manufacture or supply of such gas or in the methods employed by this company, or either of them, is an unlawful delegation of legislative power and is in violation of this company's rights under the laws and Constitution of the State of New York and the Constitution of the United States, and that said Commission has no such lawful authority, and that the investigation proposed to be held as a basis for such action is without due authority of law.

"This company, therefore, objects and demurs to these proceedings, and asks that the same be dismissed."

The objection, constituting a demurrer to the complaint, was overruled by the Commission, and the proceedings were adjourned subject to the call of the Commission on five days' notice to the parties.

On the 31st day of October, 1906, the Commission served upon the petitioners, a notice, that a public hearing upon said complaint would be held at the Capitol, city of Albany, on the 12th day of November, 1906, at 2 o'clock in the afternoon of that day, at which time the said Commission would proceed with the hearing and investigation.

Prior to said date, the relators in each of these proceedings obtained an alternative writ of prohibition, directed to the individuals, comprising said Commission, requiring them to desist and refrain from any further proceedings, investigation or inquiry, in, upon or with respect to the complaints filed with them, and to show cause why they should not be absolutely restrained from any further proceedings in the premises.

The basis of the application is, the unconstitutionality of chapter 737 of the Laws of 1905, creating the Commission and defining its powers.

The Attorney-General, at the outset, invokes the aid of the principle, that a writ of prohibition will not lie, where the rights of the parties can be fully protected by ordinary proceedings at law or in equity or by appeal.

While the Attorney-General claims that the action of the Commission thus far had, is not the action complained of by the relator, it appears sufficiently from the papers that the acts so far taken were preliminary to the other acts which the Commission is authorized by the statute to take, and it may fairly be inferred that it is intended by the Commission to proceed to the full exercise of the powers vested in it.

Respected decisions of the court have established, that before courts will declare an act of the Legislature void, a case must be presented in which there is no reasonable doubt (*People ex rel. Carter v. Rice*, 135 N. Y. 473), and as between two constructions, one of which will render an act valid and the other invalid, the court will adopt the construction which upholds the validity of the act. *People ex rel. Sinkler v. Terry*, 108 N. Y. 1.

The Attorney-General insists that the act in question provides for a review of the action of the Commission by the Appellate Division of the Supreme Court, where all questions may be legally determined, and further, that no order of the Commission can be

enforced except by a writ of mandamus, issued out of a court of competent jurisdiction upon notice to the relators, and an opportunity to be heard.

Section 19 of the act provides, "The complainant, or any person or corporation aggrieved by any order made by the Commission, whether upon complaint or otherwise, may, within thirty days after notice of the making of such order, appeal to the Appellate Division of the Supreme Court of any department within which the property of the person or corporation affected by said order is situated, except as otherwise hereinbefore provided, or in whole or in part. Such court may affirm, reverse in whole or in part, or modify the order appealed from, or may take such order in the premises in its discretion as it may deem just and proper. On all such appeals the Commission should be represented by the Attorney-General."

Section 20 of said act provides that, "An order made by the Commission, as in this act provided, or in case of an appeal from an order, the order as affirmed or modified or the order made on such appeal may be enforced by writ of mandamus."

If the rights of the relators can be fully protected by ordinary proceedings at law, or in equity or by appeal, they are not entitled to the issuance of this writ. *People ex rel. Livingston v. Wyatt*, 186 N. Y. 383.

The case above cited contains the last expression of the Court of Appeals, touching the granting of writs of prohibition and the rule is there laid down as follows:

"The writ of prohibition is not favored by the courts. Necessity alone justifies it. Although authorized by statute, it is not issued as a matter of right, but only in the exercise of sound judicial discretion when there is no other remedy. While it issued out of a superior court and runs to an inferior court or judge, its object is not the correction of errors nor relief from action already taken. In no sense is it a substitute for an appeal, as its sole province is to prevent the inferior tribunal from usurping a jurisdiction which it does not possess, although it runs against the exercise of unauthorized power in a proceeding of which the lower court has jurisdiction, as well as when the proceeding itself is instituted without jurisdiction. The sole question to be tried is the power of the inferior court or magistrate to do the particular act in question. It is in effect an injunction against a court as contrasted with an injunction proper, which is granted

against persons or corporations. It is not an affirmative remedy like mandamus, but purely negative, for it does not command that anything be done, but that something should be left undone. The practice in issuing and enforcing the writ is regulated by statute, but its nature, object and function, as well as the fact governing the issue thereof, are regulated by the common law. (Code Civ. Proc., §§ 2091-2102.) It is justified only by "extreme necessity" when the grievance cannot "be redressed by ordinary proceedings at law, or in equity, or by appeal." (People ex rel. Adams v. Westbrook, 89 N. Y. 152, 155; People ex rel. Hummel v. Trial Term, 184 N. Y. 30; Thompson v. Tracy, 60 N. Y. 31; Appo. v. People, 20 N. Y. 531; Ex Parte Braudlacht, 2 Hill, 367; People ex rel. Onderdonk v. Supervisors of Queens Co., 1 Hill, 195; Fiero's Special Proc. 278; High's Extraordinary Remedies, §§ 762, 772; Code Civ. Proc., §§ 2091, 2102, 2 R. S. 587.)

"We think the relator had a remedy which, even if indirect and inconvenient deprived him of the right to a writ of prohibition. We do not hold that a motion before the magistrate to set aside the subpœna would be an adequate remedy, because we cannot find any right of appeal followed to a witness from an order denying such an application. There was a remedy, however, thorough and complete, through the writ of habeas corpus. The magistrate was not only acting without jurisdiction, but the subpœna was void on its face and the relator was not bound to obey it. It was of no more effect than a blank piece of paper. He could lawfully decline to attend, or to be sworn, or to answer any question. Any attempt to punish him would have been unlawful and he would have had an absolute right to relief through this great historical writ, which is the most important process known to the law. If relief were refused in the first instance, there was a right of appeal to the Appellate Division and to the Court of Appeals, so that ultimate, if not immediate justice, was certain. The writ is intended to afford prompt relief from unlawful imprisonment of any kind and under all circumstances. It reaches the facts affecting jurisdiction or want of power by the most direct method and at once releases the applicant from restraint which it is shown to be unauthorized.

"This remedy was open to the relator, and his application for a writ of prohibition was properly denied, because that form of relief can be resorted to only when there is no other."

If the act is unconstitutional and the Commission has no power to compel obedience to its orders, or to make the investigation sought to be restrained, relators may refuse to comply and when an attempt is made by mandamus to enforce compliance, may raise the question of constitutionality; or, if action should be attempted against the persons or officers or witnesses for refusing to produce papers, they have their remedy by the writ of habeas corpus; or if an attempt to collect from consumers at a rate different from the rate fixed by the Commission should be defended, under the provisions of section 21 of the act, they may raise the question of constitutionality therein.

Inasmuch as the rights of the relators can be protected and safeguarded by legal remedies, the issuance of the writ sought to be obtained in this application must be denied; and this "form of relief can only be resorted to when there is no other."

People ex rel. Livingston v. Wyatt, above referred to.

As this conclusion leads to the dismissal of the writ, a discussion of the other points involved is unnecessary.

An order can, therefore, be entered, in each of these proceedings, denying the application for an absolute writ of prohibition and vacating the order allowing the alternative writ with \$25 costs in each proceeding against the relator.

Let an order be entered accordingly.

BROOKLYN UNION GAS COMPANY, Respondent, v. THE CITY OF
NEW YORK, Appellant.

(Second Department, October 5, 1906.)

Legislative regulation of rates charged by public service corporations—Cost of production, when immaterial.

APPEAL by the defendant, The City of New York, from an order of the Supreme Court, made at the Kings County Special Term and entered in the office of the clerk of the county of Kings on the 11th day of May, 1906, denying the defendant's motion for an inspection of the books of the plaintiff and of its manufacturing plant.

The action is to recover for illuminating gas furnished to the defendant for its public buildings and streets. The price charged is less than the maximum price of one dollar and twenty-five cents a thousand cubic feet fixed by section 70 of the Transportation Corporations Law as the price which gas companies may charge cities of the class of the defendant.

The defendant's answer raises the issue that the price charged by the plaintiff is excessive, and its claim is that the trial court must ascertain the reasonable price and give judgment for that only.

The inspection was asked for in order to ascertain the cost of production of gas to the plaintiff as bearing on the question of reasonable price to the consumer.

GAYNOR, J. The rule is that public service corporations may charge only a reasonable rate, and the courts may ascertain such rate in a given case. But this rule has no application where the Legislature has fixed the rate. The people, through their representatives assembled in Legislature, have the undoubted power to fix the rate which public service corporations shall charge the public. That is a legislative matter. If the Legislature fix the fare too high, the people may elect legislative representatives who will lower it. The courts have no power to lower it. It is not for the courts to upset what the people do by their legislative representatives, except in the case of a legislative act which is contrary to some provision of the Constitution, of which there can be no pretense here. The claim that the rate fixed by the Legislature is excessive is a thing to be addressed to the next Legislature, not to the courts. The people speak through the Legislature, every one being represented therein, and thereby voluntarily bind themselves and all the subdivisions of their government. The case is not one calling for an extended discussion. It rests upon the fundamental principle of representative government.

The cost of the production of gas to the plaintiff is, therefore, an immaterial fact in this case. The plaintiff had the right to charge not to exceed the maximum price fixed by the statute.

The order should be affirmed.

HIRSCHBERG, P. J., WOODWARD, JENKS and HOOKER, JJ., concurred.

NATHAN W. HORNING, Respondent, v. HUDSON RIVER TELEPHONE COMPANY and FULTON COUNTY GAS AND ELECTRIC COMPANY, Appellants.*

(Third Department, January 8, 1906.)

Negligence—Injury by overhead wire—Dead wires—Omission to guard against contact with live wire.

APPEAL by the defendants, the Hudson River Telephone Company and another, from a judgment of the Supreme Court in favor of the plaintiff, entered in the office of the clerk of the county of Fulton on the 15th day of June, 1905, upon the verdict of a jury for \$11,000, the amount having been reduced by consent from \$14,000, and also from an order entered in said clerk's office on the 10th day of July, 1905, denying the defendants' motion for a new trial made upon the minutes, with notice of an intention to bring up for review upon such appeal an order entered in said clerk's office on the 15th day of June, 1905, granting the plaintiff an additional allowance of costs.

PARKER, P. J. By the evidence in this case this situation was presented to the jury: The light company had constructed its poles and wires through West Montgomery street. It was lawfully authorized to use such street, and such construction was the usual and standard one. The span at the place where the contact complained of took place was upon good substantial poles, well insulated from the street, and was 168 feet in length. The telephone company thereafter erected its line in that part of the city and stretched a wire some eight feet above the light company's wires, crossing Montgomery street and the Cayadutta creek adjacent thereto, and also over a bridge that crosses such creek. This locality is in the extreme suburbs of the city and where the buildings are some considerable distance apart. Such telephone wire, instead of being supported by poles, is attached to brackets which are fastened to the roofs of the wooden buildings some thirty feet from the ground. The west end of such telephone wire was attached to a bracket fastened to the roof of Stewart's west mill, so called. It then extended across the creek and street at a height of eight feet above the upper wires of the electric lines, and was fastened to a bracket on Stewart's east mill, so called. It then proceeded in a northeasterly direction, across private property and some thirty feet above the earth, to the Geisler mill, making a span

* Affirmed without opinion, 186 N. Y.

of some 519 feet. From thence it extended a distance of 260 feet to the Lefler building, and thence to other buildings and poles connecting with the telephone company's lines throughout the city. The span from the west mill to the east mill over the light company's wires was 232 feet. It may be assumed that the brackets were well and securely fastened to the buildings and that the telephone wire was tightly stretched such distance of thirty feet above the earth. No poles or supports other than the buildings mentioned were used, and the spans so created by that method of sustaining the wire were unusually long.

When first put up this wire was used to furnish telephone service to the several mills in that locality, but for some year and a half before this accident such service had been withdrawn and the use of such wire abandoned, and it is apparent that for that period little attention had been paid to inspecting such wire.

The general construction of the light company's line in Montgomery street was a standard one. The claim of the plaintiff, however, is that, under the conditions that were presented by the construction and maintenance of the telephone wire in the manner above stated, and in view of the strength of the electric current which was taken through its upper wires for the purpose of lighting the streets, viz., 2,500 volts, an especial duty was put upon each company to provide other and better safeguards against a contact between their respective wires than were provided, and to prevent, by better insulation of their respective wires, a transmission of the electric current in the event that a contact did occur. Upon this claim the trial court charged the jury as follows: "The electric light company says that its plant was standard construction throughout, and that for the ordinary purpose of conveying electricity the plant was beyond criticism. And unless you find that there was an unusual and extraordinary situation at the bridge, you would find that the electric light company had in use a standard and up-to-date plant, and had taken the precaution usually taken where a telephone wire crosses an electric light wire." And it also further charged substantially to this effect: So far as the lighting company is concerned there is no serious question that this line at this bridge, if it had not been for this crossing, or if the crossing had been made in the usual way, without connection with the buildings, was beyond serious criticism. But the question is whether the electric light company, in the exercise of reasonable prudence, should have noticed the insulation on the respective

wires; that the telephone wire was supported upon ordinary wooden buildings; that such buildings were liable to burn and the wires, therefore, to come in contact; that if contact did occur trouble would arise; and would a prudent man, under such circumstances, have continued the business of carrying electricity through the streets without doing anything to render it any more safe, and could anything be done to render it more safe?

Thus it is seen that the issue upon which the jury have passed is a narrow one. Telephone wires are constantly being taken over electric light wires, and under ordinary circumstances no precautions other than were taken here to prevent contact, viz., a distance of eight feet apart, are deemed necessary; but were the conditions in this case such that reasonable care and prudence required extra precautions? Would guard wires have tended to prevent contact, and should they have been added by the electric light company in this case? Could their respective wires have been so insulated at the place of this crossing as to have prevented a diversion of the current in case the telephone wire, *for any cause*, sagged or fell; and if so, was there such reason to apprehend a possible sag or fall that a prudent man using such a powerful and deadly current would have so insulated the wires? Such were substantially the questions left to the jury, and whether they were warranted by the evidence in reaching the conclusion which they have reached is the first question for us to examine.

Both companies earnestly contend that as to a better insulation of the wires it is plainly shown that there is no insulation either used or made that would be adequate to prevent the transmission of the current from the light wire, carrying the voltage that it did, to the telephone wire, if they came in contact; that, therefore, neither can be charged with negligence in not so insulating them. Undoubtedly all experts agreed that no such insulation was made or in general use; but, as I understand the evidence, one of the defendants' experts testified that a rubber insulation five-thirty-seconds of an inch thick would be adequate to prevent such transmission if sufficient care and attention was given to keep it in proper condition. I do not find any evidence to the effect that such an insulated wire for a distance of 168 feet could not be procured, or that it could not with reasonable effort be maintained in proper order.

As to the protection from contact by the use of a guard wire above and outside of those carrying the electric current, on the light company's poles, the defendants also urge that the proof

shows that such wires are nowhere used for such protection, and that their use adds danger to the situation rather than prevents a contact. After diligently studying the evidence on this point, I do not concur with their counsel that the evidence is conclusive to that effect. Undoubtedly the evidence of the defendants' expert is, that such guard wires are not used for such a purpose, and all substantially agree that under the conditions which this case presents as to the conditions and supports of the telephone wire, they still thought that the electric company's line at this point was well and properly built and up to standard, without their use. But some of such expert evidence agreed that such a guard, if "properly installed, inspected and maintained, * * * would act as a source of safety." And the question is, whether in this particular case such a guard could not have been "properly installed, inspected and maintained" and thus have prevented the contact, that worked this injury. I cannot find that it is *established* by the evidence that it could not, or that its use was either unsafe or impracticable. On the contrary, it seems to me that for the distance of 168 feet, which was the length of the span over which the telephone wire hung, such a guard could have been easily erected and maintained, and I am not prepared to hold that the jury erred in arriving at that conclusion.

The jury have evidently concluded that other practicable provisions against the two wires coming in contact and the diversion of the current from the one to the other, could have been taken by the defendants, and each of them; and under this evidence I am not disposed to disturb the finding of the jury on such questions.

Of course the fact that such precautions could have been taken and would probably have prevented the injury, does not render either defendant liable for this injury unless it was negligence on its part not to have taken it. Each defendant vigorously urges that unless the Geisler mill had burned, the telephone wire would not have fallen, and the method of protecting against contact of the wires and transmission of the current would have been entirely sufficient; and that it is beyond reason to require them to anticipate such burning, and to take unusual precautions in expectation thereof. In other words, they deny that there were any conditions that did or should have suggested a falling wire and extra precautions to prevent it. That, I think, was a question properly submitted to the jury. Of course the jury might prop-

erly charge the electric company with knowledge of the precise situation of the telephone wire as it was stretched and supported over and beyond its line. It was its plain duty to know that condition, to consider how it affected its own line, and, if there was anything indicating danger, which a reasonably prudent man would take notice of, then such company should have noticed it and protected against it, so far as in the exercise of reasonable care and prudence it could have protected against it.

The plaintiff calls attention to the fact that each of the supports of this telephone wire from and including its west end to the Geisler mill, and for some distance east of it, was a wooden building, either one of which was much more liable to burn than a pole would be; that the first span from the easterly support of the span crossing the electric light wire, viz., Stewart's east mill, was 519 feet long, and the further end of that span was the Geisler mill. No support of any kind for that long distance was between those two mills. So that, if either of those two buildings burned, it was to be expected that *both* ends of such span would be loosened from their support. And, therefore, if either one of the several buildings burned, it was to be expected that the telephone line would be disturbed probably the whole length of it and thus threaten to loosen the telephone wire and cause it to sag or fall. These and sundry other arguments were presented to the jury as showing that reasonable prudence should have discovered that the result of a fire, although as far away as the Geisler mill, was an event which, if it did happen, would be likely to bring about a contact between the two wires, and very clearly, as they argued, if either building at the east or west end of the telephone span crossing Montgomery street was burned, contact would be sure to follow. The question as to whether each defendant should not in reasonable prudence have so far anticipated the burning of some one of such buildings as to require it to protect against the clear result likely to follow therefrom, was in my judgment one of fact for the jury.

We have, then, the decision of the jury to the effect that, under the circumstances thus presented to the two defendants, it was their duty to have taken other and further precautions against contact by their two wires, and that there were precautions which in the exercise of *reasonable* inspection and diligence they could have taken, and that their neglect to so take them was a *negligent* omission which caused the contact now complained of. Taking the whole evidence in this case, I am of the opinion that we should not disturb either of such conclusions.

It is further urged upon us by the defendants that, even though they were negligent in not better guarding against the contact of their wires and the diversion of the electric current from the one to the other, nevertheless such negligence was not the proximate cause of the plaintiff's injury, and that, therefore, he cannot recover in this action.

It is plain that, if by its fall, the telephone wire had not come in contact with the electric wire and thereby diverted its current, this injury to the plaintiff would not have occurred. It was the transmission of such current into the telephone wire that was the direct cause of plaintiff's injury; and if such transmission may be charged to the negligence of the defendants it is difficult to see why such negligence is not the direct cause of the injury. There is no intervening cause between such contact and the plaintiff's injury, and if such contact is due to the defendants' negligence then such negligence is the direct or proximate cause thereof. It seems to me that the negligence which the verdict of the jury has imposed upon the defendants is a negligence to which the act of contact and consequent transmission of the electric current was due. The precise and only negligence with which the defendants are charged is one that makes them responsible for that contact, and hence concede the negligence, and there is really no question of proximate cause in the case.

It is true that if the mill had not burned and the telephone wire been thereby torn down there could have been no injury, but that is because there would then have been no contact of wires. In this aspect the burning of the mill is a concurrent cause of the injury, but it is the remote and not the proximate cause. The defendants' omission to guard against the natural result of such remote cause is the negligent act complained of. It may be that the defendants did not neglect any duty they owed to the plaintiff in not anticipating and protecting against that remote cause. I concede that is a question not without doubt, but if the jury have correctly resolved that doubt, and, as I said above, under all the features of this case it should be left to them to determine, I have no doubt that the defendants' omission to protect against contact of their wires was the proximate cause of this injury, and I do not attempt to analyze the numerous cases on that subject and compare them with the facts of this case. In *Laidlaw v. Sage* (158 N. Y. 99, 100) is quoted a definition from the *American Law Review* (Vol. 4, pp. 204, 205), which clearly illustrates and determines the question whether the burning of the mill, or the negligent omission to

guard against contact of the wires, should be deemed the proximate cause of the plaintiff's injury.

It is manifest that the question as to preventing contact of its wires and consequent transmission of the electric current was as applicable to the telephone company as to the other one, and that the jury had the same warrant to charge negligence in that respect against it, if not more, and, hence, I have not examined the evidence as applying separately to each case. Upon the finding of the jury and the evidence in the case both are to be charged with a negligent omission in that respect.

I have examined the exceptions taken by the respective defendants upon the trial and do not find any that I think require a reversal of this judgment.

In my opinion the judgment and order must be affirmed, with costs.

Judgment and order unanimously affirmed, with costs; KELLOGG, J., not sitting.

MARY L. WITMER, as Administratrix, etc., of LOREN T. WITMER,
Deceased, Respondent, v. BUFFALO AND NIAGARA FALLS ELECTRIC
LIGHT AND POWER COMPANY, Appellant.*

(Fourth Department, May 2, 1906.)

**Negligence — Death caused by house circuit charged with high tension current
— Relation of lighting contract to negligence.**

APPEAL by the defendant, the Buffalo and Niagara Falls Electric Light and Power Company, from a judgment of the Supreme Court in favor of the plaintiff, entered in the office of the clerk of the county of Niagara on the 14th day of March, 1905, upon the verdict of a jury for \$6,700, and also from an order entered in said clerk's office on the 21st day of March, 1905, denying the defendant's motion for a new trial made upon the minutes.

The action is brought to recover damages for the death of plaintiff's husband through negligence of the defendant, resulting from his coming in contact with a highly overcharged wire in the home of deceased at Niagara Falls on the 27th day of September, 1903. The claim of the plaintiff is that the wires used for supplying light to the deceased had become overcharged through the defendant's negligence and the deceased, being unaware of this dangerous

*Affirmed by Court of Appeals without opinion, 187 N. Y.—

condition, took hold of an extension cord at the end of which was an electric light bulb used for lighting the cellar or basement of the house, and was killed.

KRUSE, J. That Loren T. Witmer came to his death by coming in contact with a wire overcharged with a deadly current of electricity is scarcely disputed. Neither is the fact seriously controverted that ordinarily the current was not deadly, or even dangerous. The incandescent electric lighting was used in this house. The incandescent circuit voltage was about 2,200 carried on two primary wires which distributed the electricity about the city. Transformers were placed in various parts of the city which reduced or stepped it down, as it is stated, from a voltage of 2,200 to about 106, and at this reduced voltage it was used for lighting the houses and other places. Less than 500 voltage is, under ordinary circumstances, not dangerous to human life, so that if the deceased came to his death by coming in contact with a current of electricity, it is reasonably certain that the current exceeded the usual house lighting voltage.

No claim is made that the defendant is liable for the wiring in the house, for that was not done by the defendant. The sole claim of the plaintiff is that the defendant, through its want of care and attention in respect to the matters which will be adverted to a little later, was responsible and became liable for the consequences resulting from the overcharged condition of the wires in this house which caused the death of the deceased, and that question is the serious question presented by this appeal.

It appears that on the early morning of September 27, 1903, between two and three o'clock in the morning, an unusual buzzing noise was heard. The deceased was awakened by his wife and evidently determined that the disturbance was due to electricity, for he went upstairs and turned off the entrance switch connection. His wife warned him to be careful and he replied that there was no danger, that there could not enough come in to hurt anybody, that it would blow out the transformer before it would come in. After turning off the switch, they proceeded on their way downstairs and the buzzing noise came on again. The cellar indicator in the dining room showed that there was light in the cellar. He started down cellar. The noise continued about a second; it had ceased before he opened the cellar door. On his way down he struck a match. The cellar was usually lighted by an electric bulb attached to the end of a cord; the cord was about seven or eight feet long, and when not in use was hung

up. He took hold of the cord, lifted it towards him, the match was going out. His wife said: "I will get a light for you." After she had turned and gone for the light the buzzing sound came on again, the bulb lighted up, and at the same time the deceased groaned and fell. She was at the head of the cellar stairs when she saw him take hold of the wire. His wife and sister picked him up and put him in a sitting position. His wife went for a doctor, and at her return the deceased had been carried upstairs by his father and his sister; they were working over him, but he was evidently dead, for they were unable to revive him.

The high tension wire of the arc system carried a voltage of 7,500. That this current was communicated in some measure and by some means to the wires of the residence of the deceased is reasonably certain; indeed, both parties so claim. The serious question is whether it was done, as is claimed on behalf of the plaintiff, by the proximity of the arc and the incandescent wires and their sagging, or by the limbs of a tree through which the two wires passed connecting them, thus surcharging the incandescent wire, or both; or whether, as is claimed on behalf of the defendant, the fire alarm wire fell upon the high tension arc wire, conveying the current in some manner to the telephone wire, and then from the telephone wire to the incandescent wire, and eventually finding its way into the home of the deceased. If the latter, then under the rule of law adopted by the learned trial court, a recovery against the defendant cannot be sustained, for such was the charge to the jury.

It seems reasonably certain that the fire alarm wire fell upon the high tension arc light wire, or in some way the current from the high tension wire was communicated to the fire alarm wire, but it is still open to doubt as to whether this overcharged current was communicated to the telephone wire, and from the latter to the incandescent wire, and from thence into this house. It was a stormy night and high winds prevailed. The alternate buzzing and the light coming on momentarily and then disappearing, would seem to indicate that there was an alternating current transmitted to the wires in this house. The defendant contends that this same condition was apparent on the fire alarm system, as testified to by the person in charge, at about the same time that the accident occurred, thus lending credence to the claim that the current was not only alternating, but may well have been caused

by the swaying motion of the wires, thus causing intermittent contact or proximity of wires sufficiently close to communicate the current from the high to the low tension wires. The defendant contends that this intermittent current was produced by the swaying of the telephone wire by the wind, while the plaintiff contends that it was the swaying motion of the other wires and the intermittent contact between the two wires communicated by the limbs of the trees which were being swayed by the wind. Witnesses were called upon both sides testifying to what they observed before and after the accident with reference to conditions in the trees and on the wires and transformers and other conditions which might throw some light upon the question.

Without going into the details of the testimony, we think the evidence presented a fair question of fact for the jury and finding thereon by them favorable to the plaintiff's claim, afforded the grounds for the further finding that the defendant was not sufficiently careful in maintaining its wires and system, and did not have that regard for the safety of human life that the law requires shall be observed in handling so dangerous an agent as electricity.

The rule as charged by the learned trial court that the defendant was required to use reasonable care in constructing and maintaining its system and to prevent the secondary system being charged with a high voltage current was as favorable to the defendant as it could ask.

Nor can it be said that the evidence showed that the deceased was not reasonably careful. It is true the extension cord may have rested on the cellar bottom and the insulation so worn that it afforded an easy way for the current to reach the ground, and that the deceased knew that and was reasonably familiar with the dangers of electric current, but it must be remembered that ordinarily the house wires did not carry a sufficiently strong current to make it dangerous, so that, from the lack of insulation or for any other reason, it would be dangerous to take hold of this extension cord. Under all the circumstances, it was a question of fact for the jury to determine whether the deceased was free from contributory negligence.

The contract under which the defendant supplied light to the deceased contained the following provision: "In case the supply of light should fail, whether from natural causes or accident in any way, this company shall not be liable for damage by reason of such failure, nor shall it be liable in any event for damage to

person or property arising, accruing or resulting from the use of the light." It is contended by the defendant that this provision exonerates the defendant from liability for damages even if caused through its own negligence. We cannot assent to this claim. Contracts of this character to warrant such a construction respecting the negligence of a party in omitting a plain legal duty must so state in terms, and expressly provide to exempt from such liability. (*Nicholas v. N. Y. C. & H. R. R. Co.*, 89 N. Y. 370; *Jennings v. G. T. R. Co.*, 127 id. 438; *Rathbone v. N. Y. C. & H. R. R. Co.* 140 id. 48, 51.)

As regards the statements made by the deceased to his wife when the switch was being turned off, stating that there was no danger, that a sufficient current could not get into the house, in response to her statement asking him to be careful, we think they constitute a part of the *res gestæ* and were competent. (*Waldele v. N. Y. C. & H. R. R. Co.*, 95 N. Y. 274, 279; *Landon v. Preferred Accident Ins. Co.*, 43 App. Div. 487.)

We conclude that the verdict of the jury should not be disturbed, and that there are no errors requiring a new trial.

The judgment and order should be affirmed.

All concurred, except NASH, J., not voting.

SYLVESTER JONES, Respondent, v. THE UNION RAILWAY COMPANY, Appellant.

Negligence — Injury from overhanging wire — Sufficiency of evidence.

APPEAL by the defendant from a judgment in favor of the plaintiff, rendered in the Municipal Court of the city of New York, second district, borough of the Bronx.

SCOTT, J. The defendant operates its railway by means of an overhead trolley. About half-past five o'clock, on the 20th day of August, 1905, the plaintiff was driving a truck with two horses along defendant's track, when one of the horses came into contact with a wire which had, by some means, been thrown over and then hung from defendant's feed wire. The horse received an electrical shock from which it immediately died. The wire was not of a kind used by the defendant and evidently was no part of its equipment, and the circumstances pointed irresistibly to the conclusion that some mischievous person had thrown this loose piece

of wire over defendant's feed wire and left it dangling there. There was no evidence how long the wire had been in this position, except that one of defendant's motormen said that he had passed the spot eight minutes before and had not observed it. Under these circumstances, there was no evidence of defendant's negligence to submit to the jury. We think also that the justice erred in withdrawing from the jury altogether any question as to plaintiff's negligence. While he had a right to assume that the road would be unobstructed, he was not wholly relieved from the obligation to be reasonably vigilant in watching for unexpected and unusual obstacles; and it was, at least, a question for the jury whether, if he had been so vigilant, he would not have seen the wire before he reached it.

TRUAX and BISCHOFF, JJ., concur.

Judgment reversed and new trial granted, with costs to appellant to abide event.

ANNA C. MORHARD, as Administratrix, etc., of FRANCIS LOUIS MORHHEAD, Deceased, Respondent, v. THE RICHMOND LIGHT AND RAILROAD COMPANY, Appellant.

(Second Department, March 16, 1906.)

Negligence—Defective transformer causing death—Sufficiency of evidence.

APPEAL by the defendant, The Richmond Light and Railroad Company from a judgment of the Supreme Court in favor of the plaintiff, entered in the office of the clerk of the county of Kings on the 30th day of November, 1904, upon the verdict of a jury for \$40,000, and also from an order entered in said clerk's office on the 9th day of December, 1904, denying the defendant's motion for a new trial made upon the minutes.

RICH, J. This appeal is by the defendant from a judgment in plaintiff's favor for \$40,000 for damages alleged to have been sustained in consequence of the killing of plaintiff's intestate. His death was caused, it is alleged, by his body coming in contact with a 2,400 voltage current of electricity which was negligently permitted to flow into the residence of the deceased by the defendant. At the time of the accident defendant was engaged in the business of supplying electricity to various customers at Giffords, in the county of Richmond, of whom the deceased was one. The electric

current of 2,400 volts was delivered to a transformer placed upon a pole in front of his residence, by two primary wires carrying an alternating current. The office of the transformer was to reduce the 2,400 voltage of the primary circuit to 120 volts, and deliver this voltage of 120 to deceased's residence over a secondary circuit consisting also of two wires running from the transformer.

The case was tried by plaintiff upon the theory that the transformer was in an imperfect condition, and that because of this condition a deadly voltage of electricity was permitted to pass over the pole of the secondary wire. Plaintiff's intestate was a strong man; he went into his cellar in perfect health, and was dead when found lying upon the cellar floor about an hour later. An electric lamp, suspended by an insulated cord, was lighted. His position was such as to indicate that he had fallen while engaged in lighting this lamp. It was suspended from a nail in the ceiling to which also was attached a wire hanging down supporting a swinging shelf. There was a burn between the fifth and sixth rib on the left side of deceased's body, and there was also directly over this a small hole burned in both the outer and undershirt worn by him at the time. Evidence was introduced tending to show that there was a burn on his left foot and also a burn in the stocking and slipper directly over this burn.

The burden of establishing that the accident was the result of defendant's negligence and that plaintiff's intestate was free from contributory negligence was upon the plaintiff, and the verdict will not be sustained unless plaintiff has made it appear with reasonable certainty that the injury was inflicted as a result of defendant's negligence. A jury cannot be permitted to arrive at a verdict by speculation or guesswork. (*Menzies v. Interstate Paving Co.*, 106 App. Div. 107.)

It appears that the wire attached to the droplight was defective and not properly insulated at the point where it came in contact with the wire sustaining the swinging or hanging shelf. This wiring was put in the house and maintained by the deceased, but was only intended to carry a voltage of 120, which was harmless. Defendant contends that it is more reasonable to suppose that deceased met his death as the result of injuries sustained by falling from a small box standing directly in front of the shelf, and that it is at best but a guess as to whether his death was caused by an electric shock, or a broken neck, occasioned by the fall. If this is correct, of course the verdict cannot be sustained. It has been

held repeatedly, and is the law of this State, that where the damages have been inflicted by one of two causes, for one of which the defendant is responsible, and for the other of which he is not responsible, the plaintiff cannot succeed, where it is just as probable that the damage was done by one cause as by the other, but is the learned counsel correct as to the conclusion he reaches? It is true that the cause of death has not been established to an absolute certainty; no autopsy was held, and Dr. Hutchinson, a witness called by defendant, testified that: "In order to tell if a man has died from electric shock, in the first place an autopsy is necessary to eliminate absolutely every other cause of sudden death." Yet I think the evidence predominates in favor of plaintiff's theory. It appears that on the night of the accident, and at different times at night antedating the accident, the transformer had been observed to have been surrounded by blue lights and sparkling, and that a buzzing noise was at times observed resembling rapid hammering; that on the evening of the accident a blue light was observed where the primary wires came in contact with the trees. The transformer was taken from the pole by the defendant after the accident, but was produced upon the trial, and evidence is given that it was tested after the accident and worked properly. It appeared, however, that about one-half of an inch of the insulation was gone off the primary wire in the transformer in one place, and that this bare wire was about nine-sixty-fourths of an inch from the iron transformer case. The pole to which this transformer was attached was wet; evidence was given tending to show that 2,400 volts will jump in the open air from one wire to another two-sevenths of an inch away, and the greater the voltage the greater distance the voltage will jump. Expert evidence was given tending to show that the primary current got on the secondary circuit through the transformer, and in support of this theory our attention is called to the fact that besides the noise and blue light emanating from the transformer, upon the night of the accident blue lights were observed on the secondary wire leading from the transformer to the house; also that lights in the house were unsteady, at times giving a very bright light, brighter than usual, and then that they would go out entirely, which indicated, the experts testified, that the wires were instantaneously short circuited and that a ground might be effected through the wooden pole which was wet. Professor Sever testified that these phenomena indicated "that there was some break down in insulation." The

learned counsel for the appellant admits in his argument that if "manifestations of electrical energy, as described by the witnesses, came from the secondary circuit, there must have been a high voltage current in the secondary circuit." Evidence was given on the part of plaintiff that standing on the cellar floor, in reaching up to turn on the light, the wires at the point where they were attached to the shelf would touch over the region of deceased's heart. His shirt showed a burn corresponding with the apex of his heart, where the burn on the body was found. Experts gave it as their opinion that deceased received a shock from a high potential current of nearly if not the entire electric force of the primary circuit. It appears, however, that from 200 to 220 volts in the secondary circuit, upon both legs of the circuit, would burn out all lights in the house because of the high potential force. The fact that the lamps did not burn out is explained by an expert who gives it as his opinion that the voltage was connected with but one leg of the secondary circuit. He says: "The deceased came in contact with one leg on the secondary circuit, and in that way got the entire voltage or very nearly the entire voltage of the primary." He admits that if the primary circuit had been connected to both legs of the secondary that the fuses would have blown or all the lamps would have gone out. The fact that the lamps did not go out is a positive manifestation that the current, the high potential, did not go on both legs of the secondary circuit. "That is also shown by the fact that only one of the wires, the insulation of one of the wires is burned off." I must confess my inability to understand how there could have been any light in the house if the power was not connected with both legs unless this great potential force was instantaneous. Mr. Southard stated: "The fact that the lights in the house did not blow out but remained lit indicated first that the circuit fuses in the primary did not blow out. From the fact that they did not blow out when this occurrence took place, why, there was not sufficient amount of current drawn to blow the fuse, and also that the application of the current was not of long enough duration to heat the fuses up sufficiently to blow them. The doctor could have only been in contact a very short space of time, as indicated in the outer shirt, the puncture on the outer shirt, the other shirt, the stocking and slipper, * * * the burning there would continue after the current was actually through going through his body, due to the fact that woolen will smoulder and will burn."

There was sufficient evidence to warrant the submission of the question of defendant's negligence to the jury. Defendant maintained this primary circuit, charged with an alternating current of 2,400 volts. This was a deadly force and it was defendant's duty to exercise a high degree of care to protect the deceased from this current. *Caglione v. Mt. Morris Electric Light Co.*, 56 App. Div. 191.

It appears that the primary wires were in contact with trees, and that sparks and blue light were observed at the transformer for some months before the accident, and yet no examination was made of the transformer.

The jury found, after a fair and impartial charge by the learned trial justice, that plaintiff's intestate was killed by reason of a breaking down of the transformer, which permitted the high potential force of electricity to enter the house of the deceased; that this was due to the negligence of the defendant; that deceased was free from any negligence which contributed to his death, and the verdict is supported by the evidence. Deceased was thirty-seven years of age at the time of his death; he was a dentist, and his income from his dental profession was shown to have been from \$17,000 to \$20,000 a year. He left three children, the eldest being eleven years of age, besides a posthumous child born six months after his death. We do not think the verdict was excessive, under the circumstances.

The exceptions have been examined with care, and we find none warranting a reversal.

The judgment and order must, therefore, be affirmed, with costs.

Present — HIRSCHBERG, P. J., WOODWARD, JENKS, RICH and MILLER, JJ.

MARY HAMMERSCHMIDT, Respondent, v. MUNICIPAL GAS COMPANY, Appellant.

(Third Department, June 27, 1906.)

Negligence — Injury by leakage of gas from street main upon private premises.

APPEAL by the defendant, the Municipal Gas Company, from a judgment of the County Court of Albany county in favor of the plaintiff, entered in the office of the clerk of the county of Albany

on the 8th day of June, 1905, upon the verdict of a jury for \$500, and also from an order entered in said clerk's office on the 8th day of June, 1905, denying the defendant's motion for a new trial made upon the minutes.

SMITH, J. By this judgment defendant has been charged with damages for negligence in permitting the leakage of gas in a street in the city of Albany, which leakage permeated through the soil of the street and into the basement of a house wherein the plaintiff had rooms. The odor of the gas caused the plaintiff to become sick and unable to work to her pecuniary damage. Plaintiff occupied the basement of the premises 158 Grand street from November, 1903, until March, 1904. During all this time she claims that there was an odor of gas in her apartments which affected the health both of herself and of the other members of her family. No complaint was made by her or any one else to the defendant gas company. She claims, however, to have complained several times to her landlady, who upon the stand denied that she received complaint until about the middle of February, at which time she at once gave notice to the defendant company and the leak was at once repaired. The case was submitted to the jury upon the negligence of the defendant in failing to repair the leak, in case the jury found that by reason of the length of time during which that leak had existed defendant had constructive notice of the defect. The jury found a verdict for the plaintiff for the sum of \$500. From the judgment entered upon this verdict the appeal has been taken.

We are unable to find any proof whatever of the defendant's negligence in this case. The fact that the leakage occurs does not make even a prima facie case of negligence. (*Hutchinson v. Boston Gas Light Co.*, 122 Mass. 219.) And this was the law of the case as charged by the learned county judge. The leak was found in the middle of the street. There is no proof that the pipe in which the leak occurred was defective, and there was no question submitted to the jury as to defective construction. Even though this leak had existed from November or a date prior thereto until February, 1904, when it was repaired, there is no evidence to charge the defendant with any notice thereof. The winter was a severe one. The ground was frozen. The odor of the gas could not, therefore, come up through the ground. The defendant company was not authorized or required to be crawling around peoples' houses to find possible leaks where no complaints

had been made. The only evidence that this was discoverable at all outside of this house at 158 Grand street is the evidence of the witness Frank Owens, who swears: "The gas came out of the basement. When you sat on the stoop nights you could smell it; we used to sit out there, come up through the stairway." It is apparent, therefore, that he only discovered the leak by reason of the open stairway and the gas coming from the inside of the house. Defendant's employees were constantly passing and repassing and swear that they discovered no smell of gas upon the street. The evidence of a single witness that he discovered the smell of gas upon a veranda off from the street, even though the gas did not come from the interior of the house, would not be sufficient to give constructive notice to the defendant, because it is not a place where an inspector would naturally go to find if gas were leaking. There is no question that a sufficient force was kept on hand to repair all leaks of which the defendant has notice, or claim that this leak was not promptly repaired as soon as the defendant had notice thereof. It is true that in November a gas meter was put into this house and in December the gas meter was read by an employee. There is no proof, however, that any gas was then discovered, and no judgment can rightfully rest upon the possibility that such employee might have discovered gas at that time. We can find nothing in this case which shows that the defendant was guilty of any fault or of any negligence in failing to repair a leak of which it confessedly had no actual notice and which could not be ascertained by its employees except in unnatural ways. The judgment and order should, therefore, be reversed, and a new trial granted, with costs to appellant to abide the event.

All concurred.

THE PEOPLE OF THE STATE OF NEW YORK ex rel. NEW YORK
ELECTRIC LINES COMPANY, Appellant, v. WILLIAM B. ELLI-
SON, Commissioner of Water Supply, Gas and Electricity of the
City of New York, and Others, Respondents.

(First Department, November 5, 1906.)

Subways — Right to construct — Lapse.

APPEAL by the relator, the New York Electric Lines Company, from an order of the Supreme Court, made at the New York

Special Term and entered in the office of the clerk of the county of New York on the 26th day of July, 1906, resettling an order denying the relator's motion for a peremptory writ of mandamus.

INGRAHAM, J. The relator was incorporated under the General Telegraph Act (Laws of 1848, chap. 265, as amended by Laws of 1853, chap. 471). Upon its incorporators the relator had power to construct lines of telegraph along and upon any of the public roads and highways, and across any of the waters within the limits of the State, by the erection of the necessary fixtures. By section 2 of chapter 471 of the Laws of 1853, the relator was authorized to erect and construct from time to time, the necessary fixtures for such lines of telegraph upon, over or under any of the public roads, streets and highways. By chapter 483 of the Laws of 1881 the relator was authorized, "from time to time, to construct and lay lines of electrical conductors under ground in any city, village or town within the limits of this State * * * provided that such company shall, before laying any such line in any city, village or town of this State, first obtain from the common council of cities * * * permission to use the streets within such city, village or town for the purposes herein set forth." On April 10, 1883, the board of aldermen of the city of New York passed a resolution "that permission be and hereby is granted to the New York Electric Lines Company to lay wires or other conductors of electricity in and through the streets, avenues and highways of New York City, and to make connections of such wires or conductors under ground by means of the necessary vaults, test-boxes and distributing conduits." Under this authority the relator on July 27, 1886, applied to the commissioner of public works for a permit to make excavations in certain streets in the city of New York for the purpose of laying the wires or other conductors of electricity in and through the streets, villages and highways of the city of New York. This permission having been refused, an application was made on September 7, 1886, to the Court of Common Pleas of the city of New York for a mandamus requiring the commissioner of public works to grant to the petitioner a permit to make excavations in certain streets in the city of New York for the purpose of laying the wires or conductors of electricity. This application was denied, and the decision of the court was affirmed by the Court of Appeals (107 N. Y. 593). The permission was refused upon the ground that the relator had not obtained the approval of the board of electrical control of the

city of New York to its plans and construction based upon section 1 of chapter 434 of the Laws of 1884 and chapter 499 of the Laws of 1885. Section 3 of chapter 499 of the Laws of 1885 provides that "when any company operating or intending to operate electrical conductors in any such city shall desire or be required to place its conductors or any of them under ground * * * it shall be obligatory upon such company to file with the said Board of Commissioners a map or maps made to scale showing the streets or avenues or other highways which are desired to be used for such purpose, and a general location, dimensions and cost of the underground conduits desired to be constructed. Before any such conduit shall be constructed it shall be necessary to obtain the approval by said Board of such plans of construction so proposed by such company."

In that proceeding the relator claimed that this law was a violation of the Constitution, as a law impairing the obligation of contracts, but the Court of Appeals refused to sustain that claim on the ground that it did not purport to deny to the relator any privilege theretofore granted, "but they did require that they should be exercised with due regard to the claims of others, and in such way that they should cease to constitute a public nuisance, and should be enjoyed in such a manner as to inconvenience and endanger the general public as little as possible;" that "such power is preeminently a police power, and it is within the legitimate authority of a Legislature to delegate its exercise to municipal corporations." In closing the discussion the court said: "The claim made by the relator in this case would authorize it to tear up the streets of the city at such times, in such cases and under such circumstances as it might itself determine, regardless of the public convenience and welfare, and the right of other claimants to the occupation thereof, and place it beyond the reach of all power by the Legislature to regulate the mode and manner of the enjoyment of its right. We do not think such a claim can be sustained. It is neither within the terms of its contract, and if it were, it is still subject, in the respects mentioned, to the police power of the State."

I have searched this record in vain to find that the relator stands in any different position in relation to its rights to a permit to use the public streets than it did in 1886, when its application for a mandamus was made and denied. From the affidavits upon which this application was made it appears that there was sub-

mitted to the board of electrical control certain plans of the relator. These plans were not approved by the board. On June 30, 1886, the commissioners adopted a resolution in favor of a subway which should be in the main to conform to certain general requirements, and it would appear that proposals for the construction of subways under the direction of the board were received from the relator and others and referred to the engineer and counsel for the Commission. Subsequently on July 13, 1886, the engineer and counsel reported to the board, and on July 16, 1886, the board accepted the proposal of the Consolidated Telegraph and Electrical Subway Company to build a subway in the streets of the city of New York necessary for the placing of electrical wires under the streets of the city of New York. The president of the relator protested against this contract being given to any company but the relator, and thereafter no application was made to the board of Commissioners of electrical subways or to the board of electrical control by the relator for the approval of its plans, or for permission to construct a subway. Immediately after this action of the board, however, the relator commenced the proceeding which has been referred to, a denial of which application was affirmed by the Court of Appeals (107 N. Y. 593). Nothing further was done by the relator until December 8, 1905, when a formal application for a permit to open the streets was made to the commissioner of water supply, which was refused, whereupon this proceeding was commenced for a peremptory writ of mandamus directed to the commissioner of water and supply, gas and electricity of the city of New York, requiring him to grant the application of the relator for permission to construct subways or conduits under the surface of certain streets of the city of New York and for a permit to open said streets for the purpose of such construction, and also directed to the president of the borough of Manhattan and the president of the borough of The Bronx, requiring them and each of them to approve the said permit to open the streets in their respective boroughs. A failure of this relator to have the plans approved by the board of electrical control, or the officials who have succeeded to the power vested in such board, as required by chapter 534 of the Laws of 1884 and chapter 499 of the Laws of 1885, justified the court below in denying this application under the decision of the Court of Appeals in 107 New York, 593.

I think, however, that the relator must fail in his application for another reason.

Subsequent to the passage of chapter 483 of the Laws of 1861, and on the 14th day of October, 1882, the relator was incorporated under the General Telegraph Act (Laws of 1848, chap. 265), and on April 10, 1883, under that act obtained permission from the common council to use the streets, avenues and highways of the city of New York. On June 13, 1885, subsequent to its incorporation and the permission granted by the common council, but before the relator had acted under the permission obtained from the common council, chapter 499 of the Laws of 1885 was passed. By that act the board of commission of electrical subways was created. Section 3 of that act provided: "When any company, operating or intending to operate electrical conductors in any such city, shall desire or be required to place its conductors or any of them under ground in any of the streets, avenues or other highway of any such city, and for that purpose to remove the same from the surface thereof, and shall have been duly authorized to do so, it shall be obligatory upon such company to file with said Board of Commissioners a map or maps made to scale, showing the streets or avenues or other highways which are desired to be used for such purposes, and giving the general location, dimensions and course of the underground conduits desired to be constructed. Before any such conduits shall be constructed, it shall be necessary to obtain the approval by said Board of said plan of construction so proposed by said company; and said Board has and shall have power to require that the work of removal and of constructing every such system of underground conductors shall be done according to such plan so approved;" and section 4 provides that in case no suitable plan is proposed or used, within sixty days after the passage of the act, it shall be the duty of such board to cause to be devised and made ready for use such a general plan as will meet the requirements of said act and of this act, and the board shall have full authority to compel all companies operating electric wires to use such subway so prepared in accordance with the provisions of this act.

This act of 1885 was held constitutional by the Court of Appeals in 107 New York. The board of electrical subway commissioners organized on July 20, 1885, and on August 13, 1885, passed a resolution reciting that the sixty days required by the act of 1885, by which any company operating or intending to operate electrical conductors in any such city were required to file with the board of commissioners a map or plan showing the streets

or avenues or other highways desired to be used for such purposes and the general location of the underground conduits, had expired, and resolved "that every corporation, association or person using or desiring to use any electrical conductors in the city of New York, do forthwith file with this Board such map or maps and other suitable descriptions as will fully inform this Board concerning the location, courses, termini, spaces, and all other details and requirements concerning the electrical conductors operated or desired to be operated by such corporation, association or person in the city of New York, to the end that this Board may be enabled to make due provision for said conductors in the general plan and subway to be devised as aforesaid, and which it has full authority to require to be used for all the electrical conductors aforesaid."

On August 13, 1885, the president of the relator and others submitted plans and documents, which were laid over for future action by the board. The plans which were submitted by the relator and other companies for the construction of these subways were considered by the board, and on June 30, 1886, the commissioners adopted a resolution which favored a subway which conformed to certain general requirements, and the engineer of the commission was called upon to report on such data as he had collected regarding such requirements, and all proposals for the construction of subways under the direction of the commissioners were referred to the counsel for the commissioners for his assistance in preparing such report, and on July 13, 1886, the engineer and counsel reported on the plans and specifications. By this report the whole subject of subways was considered. The plans of the relator were rejected and the plans of a corporation known as the Consolidated Telegraph and Electrical Subway Company were accepted, and an agreement was made between the commissioners of electrical subway of the city of New York and the Consolidated Company, which was executed. By that contract the corporation agreed to build, equip, maintain and operate the subways contemplated as provided for in the contract. Such subways were to be built by the corporation in accordance with the plans and specifications furnished by the board, which subways were at all times to be kept in good repair at the cost of the corporation; that "the spaces in said subway shall be leased by the party of the second part to any authorized company, person or firm operating or intending to operate electrical conductors in any street, avenue or highway in

the city of New York that may apply for the same. * * * If at any time the space in such subways shall not be sufficient for all companies so applying for the same, such space shall be provided as shall be so needed by the party of the second part at its own cost, subject to the approval of the parties of the first part and their successors, as in the original construction. * * * The party of the second part may fix a fair scale of rents to be charged, according to the kind of conductors and the amount of space required, which rents shall be at the same rate to all occupants. * * * In case any dispute shall arise between the party of the second part and any company occupying or desiring or required to occupy said subways, the same shall be referred to the parties of the first part and their successors for settlement, whose decisions shall be final."

On April 7, 1887, there was another contract between the commissioners of electrical subway and the Consolidated Company which to some extent modified the contract of July 27, 1886, and contained additional provisions to insure the construction of the subway which would accommodate all those using or intending to use the streets of New York for electrical conductors. By this contract it was provided that the parties of the first part (commissioners) agreed to use all lawful means within their power to compel all authorized companies of persons using electrical conductors to comply with the provisions of law and to place their conductors in said subways, and to pay a fair rental for the space occupied therein.

These two contracts were expressly ratified by chapter 716 of the Laws of 1887. Under these contracts thus ratified and other contracts by the board or its successors, subways have been constructed and maintained in the city of New York until the present time. All corporations desiring to use the streets of the city of New York for electrical conductors have occupied these subways, and there is no allegation that this relator cannot obtain space in these subways for the use of any electrical conductors that it may desire to use.

I think that under these provisions of law and contracts made under legislative authority, and ratified by the Legislature, the right of this relator to construct a subway lapsed, it having failed to procure the approval of its plans for the construction of such subway within sixty days after the passage of the act of 1885. The provision of the act which requires all corporations who

should construct subways in the streets for the purpose of conducting electrical conductors was police regulation, and a failure of the relator to procure the approval of its plans within the time provided for by the Legislature, and the adoption by the board of a system under the contracts approved by the Legislature, by which subways were constructed for the use of those who desired to use the streets for electrical purposes, was inconsistent with the existence of the right of any corporation or individual to use the streets to construct a subway. There is no allegation that all persons desiring to use subways in the city of New York are not supplied by the existing system. There are careful provisions in the contract between the board of electrical control and the Consolidated Company for supplying all those who desire to use the streets for electrical conductors with space in the subways. The use of the streets in New York for water and gas pipes, sewers, underground railroads, electrical conductors and surface railroads has grown so in late years that it has become impossible to allow every individual or corporation desiring to use such streets to make such construction in them as they wished; but all use of streets granted to corporations and individuals is necessarily subject to the police power of the State, by which such use can be regulated as the public interests require, and all such grants are necessarily subject to the limited area of the streets and the requirements of the public for other uses than that for any particular purpose for which a grant has been made; and I think that when, under legislative authority, the local officials have caused subways to be constructed in the streets for the use of all those who desire to use the streets for electrical conductors, such provision superseded the right of any existing corporation to construct other subways in the public streets for a similar use for which existing subways had been constructed and maintained. That a right granted more than twenty years ago to construct subways in the public streets, where no attempt has been made to act under it, and where, in the meantime, the public authorities have provided ample means for the use of those desiring such a use as was authorized by this grant, may well be considered as having lapsed and cannot now be revived, in violation of the rights acquired by others and to the public disadvantage.

Nor do I think there was any contract between the relator and the city of New York which was impaired by this action of the Legislature and the board acting under its authority. To consti-

tute a contract between the city of New York and the relator I think something more must exist than the mere granting to the relator permission to use its streets. No franchise was granted by the city of New York. The franchise, if any, was granted by the State. Undoubtedly, when the consent of the city was given, if that consent had been acted upon and the subways constructed, a property right would have been acquired which the city could not take without compensation; but where, under these statutes, a mere right is given, subject to the consent of the city, the consent of the city itself grants no franchise or creates no contract until it is acted on by the grantee. This consent is spoken of by the learned counsel for the relator as a grant from the city. The statute (Laws of 1881, chap. 483) provides that "any company or companies organized and incorporated under the laws of this State * * * are hereby authorized, from time to time, to construct and lay lines of electrical conductors under ground in any city," etc., "provided that such company shall, before laying any such line in any city, village or town of this State, first obtain from the common council * * * permission to use the streets within such city, village or town for the purposes herein set forth." On April 10, 1883, the board of aldermen of the city of New York passed an ordinance which provided "that permission be and hereby is granted to the New York Electric Lines Company to lay wires or other conductors of electricity in and through the streets, avenues and highways of New York City, and to make connections of such wires or conductors under ground by means of the necessary vaults, test boxes and distributing conduits." The relator gets its right to use the streets from the State. But that right does not accrue until the municipal corporation gives permission. When that permission is once given then the right is complete. But it cannot be that a municipal corporation, having given its permission, is bound hand and foot so that the permission can never be revoked, although the corporation neglects to act under it and construct its lines for such a period as would divest a person of real property by adverse possession. All of the elements of a contract are wanting. The relator assumed no obligation whatever in relation to the construction of the subway. All it ever agreed to do was that when it built the subway it would comply with the conditions imposed. Until the permission granted was accepted by some act of the corporation under it I think there was no contract. If the relator had agreed to construct

these subways within a specified time a different question would have been presented, but in all the cases where these grants of franchises have been held irrevocable it was because there was an obligation to construct the thing granted or the grantee had acted under the grant and had constructed it. In those cases a consideration would be apparent. The relator had not acted under the permission granted by the common council. No subway has been built, and as I view it, no right was acquired that was not subject to legislative control.

The order should be affirmed, with fifty dollars costs and disbursements.

O'BRIEN, P. J., CLARKE, HOUGHTON and SCOTT, JJ., concurred.

SUPREME COURT — APPELLATE DIVISION.

(First Department, January, 1907.)

Present — HONS. EDWARD PATTERSON, P. J.; GEORGE L. INGRAHAM, FRANK C. LAUGHLIN, JOHN PROCTOR CLARKE and FRANCIS M. SCOTT, JJ.

In the Matter of the Application of the LONG ACRE LIGHT & POWER COMPANY for Space in the Subway of the Consolidated Telegraph & Electrical Subway Company.

Subways — Right to occupy — Validity of franchise.

APPEAL from order of Special Term granting peremptory writ of mandamus.

SCOTT, J. This proceeding involves the right of the relator, an electric light company, to obtain an allotment of space for its wires in the underground conduits belonging to the Consolidated Telegraph & Electrical Subway Company (hereinafter for brevity's sake called the Subway Company). The organization of the Subway Company, and its erection and maintenance of underground conduits for electrical conductors marked the culmination of the long struggle, now passed into familiar history, to compel the removal from the streets and public places on Manhattan Island of the poles and wires once used for telegraph, telephone and electric light wires. The powers, duties and obligations of the respondent company are derived from and defined by two certain contracts

dated respectively July 27, 1886, and April 7, 1887, between said company and the Commissioners of Electrical Subways for the city of New York, which were ratified and confirmed by the Legislature by chapter 716, Laws 1887. By these contracts the Subway Company was authorized to construct conduits for carrying wires, and among other things it was provided that the spaces in such conduits should be leased to any corporation "having lawful power to operate electrical conductors in any street, highway or public place in the city of New York that may apply for the same, including any company or corporation having or which shall acquire lawful power to manufacture, use or supply electricity." The contract also undertook to provide against the danger that some one company, by leasing more space than it required, should prevent other companies from acquiring space, and further provided for the building of additional conduits as they might be needed. The Commissioners of Electrical Subways agreed on their part to use all lawful means to compel companies operating electrical conductor to rent space in the subways, and the Legislature, by section 3 of the ratifying act, provided that wherever the conduits had been built all poles and wires should be removed, forcibly if necessary, from public streets and places, and in point of fact such poles and wires, including those erected and operated by the predecessor in interest of this relator, were subsequently removed by the public authorities of the city. The ratifying act of 1887 also included a remedy by writ of mandamus in case the Subway Company should fail to perform the duties and obligations assumed by it. The present relator, claiming to be entitled to lay and operate electrical conductors in this city, has applied to the Subway Company for an allotment of space in the subway now constructed in Forty-second street, and has tendered payment of rental for one year in advance at the rate fixed and charged by said Subway Company. That company has refused to allot such space and resists the application for a mandamus upon several grounds, but chiefly relies upon the objection that the relator's company has not "lawful power to operate electrical conductors in the streets." But first it says that by its answer to the petition it has raised issues of fact, and that, for this reason, if any mandamus at all is to issue, it should be in the alternative and not the peremptory form. This objection is satisfactorily answered by the learned justice at Special Term, and requires no extended discussion at our hands. As he points out, the allegations of the petition are

positive and explicit in detail and are met for the most part by denials of knowledge or information, or by denials, positive in form, but which obviously put in issue not facts, but the conclusions of law arising from the facts as stated in the petition. The principal controversy arises over the denial by the Subway Company that the relator has any legal right or lawful power to operate electrical conductors under the streets, or has lawful power to manufacture, use or supply electricity. The right which the relator asserts, and which is thus called in question, rests upon a franchise granted by the municipal authorities of the city of New York to the American Electric Manufacturing Company in 1887. The facts under which the relator claims the right to operate under this franchise are set forth at length in the petition and are briefly as follows: The American Electric Manufacturing Company was incorporated on March 28, 1885, under the General Manufacturing Corporation act of 1848, which seems to have been the only appropriate act in force at that time under which such a company could have been incorporated. The purposes of said company as stated in its certificate of incorporation are very broad, covering "the manufacture, generation, utilization and sale of electricity," as well as the manufacture, leasing and sale of electrical apparatus and appliances, and the purchase and sale of patent rights and the like. On May 27, 1887, the board of aldermen of the then city of New York, by resolution approved by the mayor June 13, 1887, gave and granted to the American Electric Manufacturing Company permission and authority "to locate and erect poles and hang wires and fixtures thereon, and to place, construct and use wires, conduits and conductors for electrical purposes in the city of New York, in, over and under the streets, avenues, wharves and parks therein according to such plans as may be directed, approved or allowed by and subject to the powers of the Electrical Subway Commissioners and to the provisions of chapter 499 of the Laws of 1885, and under the supervision of the commissioner of public works and of the department of public parks within their respective territorial jurisdiction, and subject also to all existing ordinances applicable thereto, and to all reasonable regulations of the privilege hereby conferred which the common council may hereafter impose by ordinance or otherwise." The resolution also makes provision for compensation to the city for the privilege thus conferred. This resolution constitutes the grant or franchise under which the relator claims the right to operate electrical conductors. Its title

thereto is derived as follows: On April 18, 1888, The American Electric Manufacturing Company by an instrument in writing "granted" to Frederick E. Townsend, his executors, administrators and assigns "the sole and exclusive right and privilege to operate for all purposes, under the franchise, permission, privilege, authority or right granted to it by the board of aldermen of the city of New York by a resolution adopted by said board on the 31st day of May, 1887," reciting the terms of such resolution. The language of this instrument is criticised as being a grant of a right under a franchise, and not an assignment of the franchise itself. What was granted to the Manufacturing Company was the right to do certain things; that right constituted its special franchise and was property. What was "granted" to Townsend was "the sole and exclusive right and privilege to operate for all purposes under the franchise, privilege, permission, authority or right granted to it by the board of aldermen of the city of New York, by resolution adopted by said board on the 31st day of May, 1887." In other words, the company granted or conveyed to Townsend the right, i. e., the franchise which had been given to it by the board of aldermen, and it gave him the "sole and exclusive right," reserving nothing which it could use itself or transfer to anyone else. It is not easy to see how, by any words, a more complete assignment could have been made.

On March 14, 1889, the American Electric Illuminating Company was incorporated under the act of 1848, the objects of its incorporation being the "manufacture, sale, leasing and ownership of appliances, letters patent and plant for electric light, heat, power and motion, and the manufacture, sale and transmission of electric light, heat, power and motion. To this corporation, by a paper dated April 19, 1889, Frederick E. Townsend gave, granted, sold, assigned, transferred and set over "any right, title and interest I have and hold or may have and hold as trustee for such American Electric Illuminating Company, or individually in and to and under the paper, writing and assignment dated April 18, 1888, made by the American Electric Manufacturing Company, a company duly organized under the laws of the State of New York, unto me, and the rights, permission, privilege, franchise and authority therein referred to." The American Electric Illuminating Company proceeded to operate under this franchise to the extent that it established a generating plant, erected poles and strung wires, and for more than a year manufactured electricity and sup-

plied it to customers. Its poles and wires were then cut down and removed by the public authorities, and its business, or the major part thereof, was thereupon suspended. In 1897 a judgment creditor began sequestration proceedings against the company, which resulted in the appointment of a receiver, and the sale by him, under the order of this court, of the franchise to carry on business in the city of New York. The purchaser on such sale was one Martin Minturn, and the sale to him was duly confirmed. The relator was incorporated on April 23, 1903, under the Transportation Corporations Law, with ample powers, so far as concerned its certificate of incorporation, to generate, sell and distribute electricity and to construct, maintain and operate conductors therefor. On March 21, 1906, Martin Minturn, by an instrument in writing, gave, granted, sold, assigned, transferred and set over to the relator any and all his right, title and interest of every nature and kind in and to and under the above-described franchise. The respondent, relying upon that clause of its contract which requires it to furnish space in its conduits only to companies having "lawful power" to operate electrical conductors in this city, defends its refusal to accord space in said conduits to relator by the contention that said relator has not such lawful power and owns no franchise to operate such conductors granted either by the Legislature, or the municipal authorities, or any other body competent to grant such a franchise. The relator's title to the franchise under which it claims the right to operate, and the history of which has been given, is questioned because, as it is said, the American Electric Manufacturing Company could not assign to Townsend the franchise granted to it by the board of aldermen, and consequently Townsend took nothing under the attempted assignment to him, and could convey nothing to his assignee, the American Electric Illuminating Company. This contention is based upon the general proposition that a company chartered to perform duties of a public or quasi-public nature cannot, without legislative authority, alienate or convey away its right to perform such duties or the property necessary to their performance. In support of this general proposition there are cited to us numberless extracts from text books and judicial opinions. That there is such a rule of law is not open to question, but like most general rules, it is subject to exception and qualification, both as to its applicability to specific cases and as to the persons who may invoke it. It remains, therefore, to consider whether or not it is applicable to the circumstances

of the present case, and whether or not, in any event, it may be invoked by this respondent. The American Electric Manufacturing Company derived its primary franchise to be a corporation directly from the Legislature, and with it the power to engage, as a corporation, in the various kinds of business specified in its certificate of incorporation. The right thus conferred involved no public or quasi-public duty. The secondary or special franchise to operate a line or lines of electrical conductors, which is the only franchise involved in this proceeding, was granted by the board of aldermen, the proper municipal authority to make such grant (*West Side Electric Co. v. Consol. Tel. Co.*, 110 App. Div. 171). The general rule that a special or secondary franchise is inalienable without express legislative assent has lost practically all its authority in this State. From early days railroad corporations have had legislative authority to transfer to other railroad corporations the special privilege of operating the road (*Woodruff v. Erie Railroad*, 93 N. Y. 609-616), and all other corporations were accorded that right by chapter 638 of the Laws of 1893. The relaxation of the general rule is undoubtedly due to the freedom with which corporate charters are now given and to the universal recognition of the property, nature and value of special franchises. A special franchise is generally accompanied by the grant of the right to use or occupy public property, or to exercise the essentially sovereign power to acquire property by eminent domain, and the consideration for the grant is found in the quasi-public service to be rendered. The reason for the rule against alienation of such a franchise is that, by divesting itself of the franchise, the corporation would disable itself from discharging the public duties for which it had been chartered, and the public has, therefore, been considered as entitled to forbid such a transfer. When a charter can be obtained by merely executing and filing a certificate, as was the case when the Electric Manufacturing Company was organized, and the exercise of the special franchise carried with it the public obligation, the reason for the rule largely disappears, especially where, as in the case of a manufacturing company, the sale and distribution of electricity was only a part of the objects for which the company was incorporated. Whether or not a special franchise be availed of, and by whom it is availed of, is solely a question of public concern. It is not questioned that the grantor of a special privilege might, as a condition of its grant, attach the quality of assignability to

it, and the same power which conferred the franchise may ratify and confirm the alienation thereof when attempted to be effected without precedent authority. (*Thompson on Corporations*, vol. 4, par. 5361; *Shaw v. Norfolk Ry. Co.*, 5 Gray, Mass. 162; *Richards v. Merrimack, &c.*, R. R. 44 N. H. 127.) It is not essential that such ratification shall assume any particular form. It is sufficient if it be evidenced by acts which recognize the validity of the alienation or assignment, and are inconsistent with any objection thereto. The franchise was granted by the board of aldermen not as individuals, but as the proper local authority to act in that regard as and for the municipality. The grant was, therefore, a grant from the city, the owner of the streets, for the use and benefit of the public. It was the city, therefore, the grantor of the franchise, which had the power to consent to and ratify the assignment of the franchise. The record shows that the American Electric Illumination Company, claiming and owning no better right to do so than the franchise in question and the title thereto, through the assignment to Townsend, did, in fact, erect poles in the streets of the city and string wires thereon and supply electricity to its customers by means of such poles and wires, and continue to do so until the completion of respondent's subways and the forcible removal by the public authorities of all the poles and overhead wires then maintained in the more populous section of the city in Manhattan Island. Unless the American Electric Illuminating Company had municipal authority to erect poles and string wires, these structures constituted illegal obstructions which it was the duty of the municipal authorities to remove. We are not to presume that public officers wilfully fail to do their duty, and in view of the acute public and official opposition at that time to the maintenance of overhead wires we should find it difficult to believe that the public authorities stood by and permitted a wholly unauthorized company to add to the unsightly structures then generally condemned, and permitted the company to expend its money in erecting such structures. Of course, we do not intend or undertake to pass upon any question that may arise between the city and the relator, but the acquiescence of the city in the acts of the illuminating company appear to indicate, prima facie, a ratification of and consent to the devolution upon that company of the title to the franchise originally given to the manufacturing company, and if the illuminating company, when its poles and wires had been cut down, had at once applied for

space in the subway, we much doubt whether it could have been denied. If it had a right to entrance then, it does not appear that its right has been lost by anything that has transpired since.

We are next brought to consider whether the respondent is in a position to call into question the validity of the relator's title to the special franchise in question. The respondent is a private corporation, operating for its own gain. The contracts between it and the Commissioners of Electrical Subways, as well as the act ratifying these contracts, are replete with provisions designed to prevent the monopolization of the subways. The respondent is invested with no authority to grant or withhold privileges or to discriminate between rival applicants for space in its conduits. It is vested with no governmental functions, and represents in no sense the public either of the State or the city. Whether or not a special franchise may be assigned is a matter of public and not of private concern. Such an assignment is not *malum in se*, and the only ground for ever questioning the assignability of such a franchise is that the public were interested in its exercise by the original grantee. Accordingly, it has been held that only the public may question the validity of an attempted assignment, and that it is not a question to be raised collaterally or by any private individual. (*Thompson on Corp'ns*, vol. 4, par. 5367; *Oakland R. R. v. Oakland, &c., R. R.*, 45 Cal. 365; 13 Am. Dec. 181.) A similar rule has uniformly been applied as to the right to question the validity of a company's incorporation, a closely analogous question. Thus, where an attempt has been made to create a corporation by papers with the color of law, but so far defective in execution that they would be held, in a direct proceeding, to be defective and ineffectual, and the corporation has exercised its corporate powers, it is well established that the corporation is safe from collateral attack by any person by reason of its defective incorporation, and can be directly attacked only by the State. (*Lamming v. Galusha*, 81 Hun, 247; *Buff. & Alt. R. R., v. Cary*, 26 N. Y. 75; *Eaton v. Aspinwall*, 9 N. Y. 119.) The relator stands in this precise position: It holds the franchise to operate under a formal assignment from the original grantee, and its predecessor in title, holding under the same assignment, actually exercised the privilege conferred by the franchise. We do not, of course, hold that the respondent is obliged to assign space in its conduits to everyone who may apply, or that it may not, before assigning such space, inquire whether the applicant

has a right to enter; but we are of opinion that when application is made by a corporation having apparent right to a franchise, and which has actually, with the acquiescence of the public authorities, exercised the franchise, the validity of its right and title is not open to collateral attack. If for any public reason there is a doubt as to the validity of the title, that question can be raised by the proper municipal authority when application is made for a permit. If not then raised the question is of no concern to the respondent. That the franchise was assigned in the first instance to an individual does not suggest any defect in the chain of title. We are not aware of any statutory or inherent reason why the right to construct and maintain electrical conductors may not be conferred upon an individual and none has been suggested. At all events, Townsend, the assignee, never attempted to use the franchise, but seems to have served merely as a conduit through whom the franchise passed from one company to another. Such a method of transfer is not invalid. (*Parker v. Elmira C. & N. R. R.*, 185 N. Y. 274-280.) Before actually stringing its wires it is necessary that relator shall have not only an allotment of space, but also a permit from the commissioner of water supply, gas and electricity. It seems to be quite unimportant which is applied for first, and would be of no importance whatever were it not for the rules made by the commissioner of water supply, gas and electricity governing such application. These rules cover both applications for leave to construct subways, and for leave to enter subways already constructed. As to the latter, Rule 3, read upon the motion, is applicable. It is subdivided into two parts designated (a) and (b). Subdivision (a) requires that application for space must be made to the Subway Company and certain particulars given. Subdivision (b) reads as follows: "When applications have been made *and space assigned* for conduits under ground, the written consent of the commissioner must be obtained before any conductors are placed in the space so assigned." If the relator had applied to the commissioner before he obtained an allotment of space his application might well have been, and doubtless would have been, refused under this rule. The unverified letter of the deputy commissioner that a contrary rule has obtained in practice cannot be considered in contradiction of the plain letter of the rule. It is also suggested that the special franchise itself requires certain plans to be approved before the franchise can be operated. The grant was of the right to

erect poles and hang wires thereon, as well as to place wires underground, and provided that all should be done "according to such plan as may be directed, approved or allowed by and subject to the power of the Electrical Subway Commissioners." If the relator were applying for leave to construct conduits for its wires it would undoubtedly be required to construct them under approved plans, but this is not what it asks. It wishes to draw wires through conduits already constructed according to plans which have been directed, approved and allowed by the Subway Commissioners, which is precisely what the franchise calls for. It is stated in an affidavit included in the papers read in opposition to the motion that there are not sufficient subways constructed in the locality requested by the relator, and that if this application were granted additional subways would necessarily have to be constructed, for which, under the statute, the relator would be obliged to give a bond. It is not asserted that any such bond has been demanded, and it is made quite clear that the respondent does not rely upon this objection to relator's application because it is stated in the same affidavit, made by respondent's superintendent, that "the sole reason why the respondent has refused to comply with the request of the relator is that neither has the relator been duly authorized to conduct the electric light business in the city of New York either by legislative act or administrative act, nor is the respondent empowered by law to allot space in its subways upon the application made," and in the formal answer by respondent to relator's petition it is not alleged as a reason why the mandamus should not issue that there are no available ducts. Hence the existence of available ducts is not put in issue. In any event the commissioner of water supply, gas and electricity has power to order new conduits to be constructed, and it appears by his own rules that he will do so when and if he is satisfied that the unused facilities of existing subways are insufficient to meet existing requirements.

We are of opinion that, as against the respondent, the relator has established its right to the allotment of space in the conduits, and the order appealed from is therefore affirmed, with \$10 costs and disbursements.

PATTERSON and CLARKE, JJ., concur.

INGRAHAM, J. (dissenting).—The relator has obtained a peremptory writ of mandamus requiring the Consolidated & Electrical Subway Company to grant to the Long Acre Light & Power Company in its subway ducts for the placing of the electrical conductor therein, extending through various streets in the city of New York. The proceeding was instituted by an order to show cause based upon affidavits and a peremptory writ was granted upon motion. To entitle the relator to a writ of mandamus he must show by undisputed facts a clear legal right to the relief demanded. (*People ex rel. Sherwood v. Board of State Canvassers*, 129 N. Y., 360).

If any question of fact upon which the relator's rights to relief depends is presented, or if there is a serious doubt about his legal right to such relief, the peremptory writ should be denied and an alternative writ granted. I think upon the facts as they appeared before the court below the relator had not a legal right to the relief that he asks for. The relator's claim is as the owner of a franchise granted by the board of alderman to the American Electric Manufacturing Company. It appeared that the American Electric Manufacturing Company was incorporated under the Manufacturing Corporation Act of 1848.

On the 31st day of May, 1887, the board of aldermen passed a resolution by which permission and authority was granted to the American Electric Manufacturing Company to locate and erect poles, and hang wires and fixtures thereon, and to place, construct and use wires, conduits and conductors for electrical purposes in the city of New York in, over and under the streets, avenues, wharves and parks therein specified according to such plans as may be directed, approved or allowed by and subject to the powers of the electrical subway commissioners and subject to the provisions of chapter 499 of the Laws of 1885, and under the supervision of the commissioner of public works and to the department of public parks, within the respective territorial jurisdictions. Nothing seems to have been done under this resolution by the American Electric Manufacturing Company, but on the 18th day of April, 1888, there was executed an instrument by which the American Electric Manufacturing Company granted unto one Townsend, his administrators and assigns, "the sole and exclusive right and privilege to operate for all purposes under the franchise, privilege, permission, authority or right granted to it by the Board of Aldermen of the city of New York, by a resolution adopted by

the said board on the 31st day of May, 1887, to locate and erect and set up poles and hang wires and fixtures thereon, and to place, construct and use wires, conduits and conductors for electrical purposes in the city of New York, in, over and under the streets, avenues, wharves, piers and parks therein or adjacent thereto, according to such plans as may be directed, approved or allowed by and subject to the powers of the electrical subway commissioners, and to the provisions of chapter 499 of the Laws of 1885." Subsequent to the execution of this instrument, on the 29th day of December, 1888, there was incorporated under the Manufacturing Act of 1848, the American Electric Illuminating Company, and on the 19th day of April, 1889, Townsend assigned and transferred to this corporation "any right, title and interest I have and hold or may have and hold, as trustee for such American Electric Illuminating Company, or individually in and to and under the paper, writing and assignment, dated April 13, 1888, made by the American Electric Manufacturing Company, a company duly organized under the laws of the State of New York, unto me, and the rights, permission, privilege, franchise and authority therein referred to." It appeared that subsequent to the execution of the instrument by Townsend and in and about the year 1889, the American Electric Illuminating Company, in the regular course of its business, duly installed an office and an electric lighting station at No. 426 East Twenty-fifth street, Borough of Manhattan, in the city of New York, and within said building it installed and operated a complete electric light producing equipment, and in and upon certain streets in the city of New York it strung wires and poles, some of which were erected and owned by it and others had been formerly erected and used by the East River Electric Light Company and the Thompson-Houston Electric Light Company, and by means of such electrical equipment it supplied to the public electric light under its franchise, grant, permit, license and contract to the full extent for which its facilities were equal, and continued so to do for a period of more than one year thereafter, and until its poles, wires and lamps, together with the poles, wires and lamps of other companies in the city of New York, were cut down and removed by order of the board of electrical control and the commissioner of public works. It is also alleged that by such action on the part of the city of New York, the American Electric Illuminating Company was injured, and its property destroyed, and there being no electrical subways

in that section of the city of New York at that time it became incapacitated from furnishing its customers in said streets and avenues with electricity for light and all other purposes. Subsequently, and in the year 1897, judgment was obtained against this company. A receiver was appointed who sold out all the property and rights of the company, and the rights thus sold were acquired by the relator. So far as appears, the relator simply holds whatever right it acquired under the sale by the receiver of the property, franchise and rights of the American Electric Illuminating Company.

I think there is a serious doubt as to the right of this relator to the franchise granted by the city of New York to the American Electric Manufacturing Company. Assuming that that company was in possession of a legal franchise to use the streets of the city of New York for its wires, conduits or conductors, it never formally assigned such franchise to Townsend. I know of no power of the holder of a franchise to grant to an individual a new franchise. While it may be assumed that the owner of a franchise, unless in some way restricted, can assign its franchise, so that when the assignee has constructed the necessary appliances to use the franchise his right to operate the franchise will not be interfered with, it does not appear that the owner of a franchise would be authorized to grant to another the right to use the franchise. The American Electric Manufacturing Company by this instrument did not divest itself of the franchise. If it could grant to Townsend the right to exercise the franchise, I can see no reason why it could not give a similar grant to any other person and thus grant franchises. If such a grant would be sufficient to confer upon the grantee a right to use the franchise granted, there would apparently be two persons authorized to use the franchise, and this might be indefinitely extended to as many persons as the original grantee should desire. What, as I view it, the board of aldermen granted, assuming that their grant was valid, was the power to this corporation, organized under the laws of the State, to exercise a certain franchise. Certainly that corporation had no authority to grant subfranchises to individuals, or corporations to use the streets of the city of New York, without the consent of the State or city.

I also think that this relator is not now in a position to exercise any franchise, even assuming that it had acquired the franchise granted to the American Electric Manufacturing Company. It is

not claimed that this relator has acquired the property or plant which the American Electric Illuminating Company operated in the year 1889, or that that plant has been in existence or can be used by the relator. It claims to have acquired under a sale by a receiver whatever right the American Electric Illuminating Company had at the time that the sequestration proceedings were instituted. Now the only authority granted by the resolution of the board of aldermen was to place, construct and use wires, conduits and conductors for electrical purposes in, over and under the streets, avenues, wharves and parks "according to such plans as may be directed, approved or allowed by and subject to the powers of the electrical subway commissioners." Before this company or any one having acquired the right of this company to exercise such a franchise could exercise it the "plans" must be approved or allowed by the board of electrical control or those public officers who have succeeded to its duties. It is not given any right to use the streets of New York, except in accordance with plans so approved, and until such plans are approved no right exists under the resolution to use the streets or operate the franchise. It appears that no such plans have been prepared or approved, and that the relator is not in a position to exercise the franchise, and therefore it seems to me that the relator having no authority when the application was made to use the franchise, no mandamus could be granted. I think this defendant was entitled to insist that before a mandamus should be granted the relator should show a clear legal right to use the streets of the city of New York under the franchise granted by the board of aldermen. It appears in opposition to this motion that there are no unoccupied ducts in the streets through which the relator seeks to place its electrical conductors. Under its contract with the city of New York, which has been ratified by the Legislature, the relator is bound to construct ducts in the streets if unoccupied ducts do not exist when demanded by any corporation or individual entitled to use the streets of the city for electrical conductors. If this mandamus is granted this corporation will be compelled to construct for the use of the relator electrical conductors, although it does not appear that the relator is authorized to use the ducts when constructed or will ever be authorized to exercise the franchise to furnish electricity to the public. The rules of the commissioner of water supply, gas and electricity, who has succeeded to the powers of the board of electrical control, apply only to the permission of a person authorized to

use the streets, and have no application to the approval of the plans for the exercise of franchises which, as I read the resolution of the board of aldermen, constituted a condition precedent to the exercise of any franchise. But these rules seem to contemplate an application to the commissioner before the defendant can be required to supply ducts. Rule 1 provides that no wires, cables or other electrical conductors shall be placed in any subways, conduits or ducts now constructed or hereafter to be constructed without the written consent of the commissioner of water supply, gas and electricity being first obtained, and that whenever any duly authorized corporation or person desires or is required to place electrical conductors underground application must be made to the commissioner of water supply, gas and electricity on forms provided for that purpose for such accommodation as may be desired, and if the commissioner acts upon such application favorably he will issue the necessary authorization in the event that the unused facilities of existing subways are insufficient to meet legitimate requirements, and provision is then made for the construction of electrical subways and for the application for space in the subway to be made to the Subway Company; and it is then provided that when application has been made and space assigned for conduits underground the written consent of the commissioner must be obtained before any conductors are placed in the space so assigned. Under these rules it would appear that the right to use the streets must first be approved by the commissioner, and the right to apply to the Subway Company must be predicated upon such approval by the commissioner. To say that the court can grant a mandamus to the Subway Company requiring it to allow a corporation space in its subway before the commissioner has acted favorably upon an application for a permit for the use of the streets underground seems to me to be a violation of these rules.

I do not think, therefore, that this relator is in a position to ask for this mandamus, and that the court below should have denied the application.

LAUGHLIN, J., concurs.

THE PEOPLE OF THE STATE OF NEW YORK ex rel. WEST SIDE ELECTRIC COMPANY, Appellant, v. CONSOLIDATED TELEGRAPH AND ELECTRICAL SUBWAY COMPANY, Respondent.

THE WEST SIDE ELECTRIC COMPANY, Appellant, v. CONSOLIDATED TELEGRAPH AND ELECTRICAL SUBWAY COMPANY, Respondent.

(Decided January 8, 1907.)

Subways — Right to use of — Consent of municipal authorities.

APPEAL in the first case, by the relator, from a judgment of the Appellate Division of the Supreme Court in the first department, entered on January 24, 1906 (rendered by a divided court), affirming the final order made at Special Term in New York county, quashing an alternative writ of mandamus, and dismissing the special proceeding in which the same was granted.

Also appeal, in the second case, by the plaintiff from a judgment of the Appellate Division of the Supreme Court in the first department, entered on the same date, affirming (but not unanimously) a judgment rendered at Special Term in New York county in favor of the defendant.

The first case was a special proceeding in which the relator prayed for a writ of mandamus commanding the respondent to permit the relator to place in its electric subway in the city of New York two cables for electric lighting purposes and to open certain manholes and service boxes for that purpose.

The second case was a suit in equity in which the plaintiff sought to enjoin the defendant from interfering with or obstructing the plaintiff in the maintenance and operation of its cables and electrical conductors in the aforesaid subway and from interfering with the peaceable possession and enjoyment thereof by the plaintiff.

The cases were tried together at Special Term upon the same evidence and were both decided in favor of the defendant.

The other facts, so far as material, are stated in the opinion.

WILLARD BARTLETT, J. The rights of the parties to this litigation are dependent upon the question whether on October 30, 1896, the power to grant a franchise to lay and construct suitable wires or other conductors in subways under streets, avenues, public parks and places in the city of New York for conducting and distributing electricity, to a corporation organized under the

Transportation Corporations Law, was vested in the board of electrical control in and for the city of New York, or in the board of aldermen of said city.

The appellant is a corporation organized under subdivision 2 of section 61 of the Transportation Corporations Law (Laws of 1890, chap. 566) the objects for which it was created being stated in its certificate of incorporation as follows: "Manufacturing and using electricity for producing light, heat or power and in lighting streets, avenues, public parks and places in the city and county of New York."

The respondent is a corporation organized for constructing electrical subways in the streets, public parks and public places in the city of New York for holding electrical conductors including those of electric lighting companies duly organized and authorized to conduct business in the borough of Manhattan. Under date of July 27, 1886, and April 7, 1887, this corporation entered into certain contracts with the board of commissioners of electric subways in and for the city of New York (the predecessor of the board of electrical control), whereby it undertook to build, equip, maintain and operate subways for electrical conductors in said city, in accordance with plans and specifications furnished by the board, and by the terms of which it was permitted to lease space in such subways as therein provided. The Legislature expressly ratified these contracts by chapter 716 of the Laws of 1887. The first of these contracts contains the following provision, the respondent corporation being the party of the second part:

"V. The spaces in said subway shall be leased by the party of the second part to any authorized company, person or firm operating or intending to operate electrical conductors in any street, avenue or highway in the city of New York that may apply for the same."

The second contract, in relation to the same subject, provided as follows:

"IV. The space in said subway shall be leased by the party of the second part to any company or corporation having lawful power to operate electrical conductors in any street, avenue or highway in the city of New York that may apply for the same, including any company or corporation having, or which shall acquire lawful power to manufacture, use or supply electricity."

The act by which these contracts were ratified expressly empowered the courts to enforce their provisions "by proper pro-

ceedings in the nature of a writ of mandamus or by mandamus." (Laws of 1887, chap. 716, § 7.).

The same act established the board of electrical control to succeed the board of commissioners of electrical subways as constituted under an earlier statute (Laws of 1885, chap. 498), and contained the following provision in respect to its powers:

"All the powers and duties conferred or imposed by the said act, chapter four hundred and ninety-nine of the Laws of eighteen hundred and eighty-five, upon the commissioners appointed thereunder in and for the city of New York, and all the powers and duties heretofore by any law conferred or imposed upon the local authorities of said city, or any of them, in respect to or affecting the placing, erecting, construction, suspension, maintenance, use, regulation or control of electrical conductors or conduits or subways for electrical conductors in said city are hereby transferred to and conferred and imposed upon, and shall hereafter be exclusively exercised and performed by the said board of electrical control, constituted as provided in this act, and its successors as hereinafter provided."

Assuming that the authority thereby conferred was broad enough to empower the board of electrical control to grant a franchise to occupy the subways with electric conductors, the appellant on October 26, 1896, applied to the board "to grant to the said company the franchise to erect and maintain wires as its business in the city of New York may require, under such regulations as may be prescribed by the said Board;" and on October 30, 1896, the board adopted a resolution declaring that the West Side Electric Company "be and it hereby is authorized and empowered to lay and construct suitable wires and other conductors in subways, under streets, avenues, public parks and places in the city of New York for conducting and distributing electricity under the direction of the Board of Electrical Control," etc.

The West Side Electric Company subsequently obtained permits from the commissioner of water supply, gas and electricity to place two cables in the electrical subways of the respondent to be used for electric lighting purposes, and in June and December, 1903, exhibited such permits to the respondent and requested the respondent to open its manholes and service boxes so as to allow the installation of the appellant's cable in the subway. The respondent refused to comply with this request. It denied the right of the board of electrical control to grant a franchise to the appel-

lant to operate electrical conductors in the streets of the city of New York and asserted that the only municipal authority having power to grant such a franchise on October 30, 1896, was the board of aldermen.

Under chapter 37 of the Laws of 1848, which was an act to authorize the formation of gas light companies, such corporations could acquire the power to lay conductors for conducting gas in the streets of a city, village or town only with the consent of the municipal authorities. Under chapter 512 of the Laws of 1879, which was an act to authorize gas-light companies to use electricity instead of gas, a similar consent of the municipal authorities was necessary to empower such corporations to occupy the streets of a city, town or village, with apparatus for electric lighting purposes. These provisions were incorporated into the Transportation Corporations Law (Laws of 1890, chap. 566, § 61) under which the appellant was organized. Subdivision 1 of section 61 empowers gas companies to manufacture, sell and furnish such quantities of gas as may be required in the city, town or village where the same shall be located; "and to lay conductors for conducting gas through the streets, lanes, alleys, squares and highways in such cities, villages and towns, *with the consent of the municipal authorities thereof*" etc. This subdivision was under consideration by this court in the case of *Ghee v. Northern Union Gas Co.* (158 N. Y. 510) presently to be discussed. Subdivision 2 of section 61 empowers a company incorporated for the purpose of using electricity for light, heat or power to carry on the business of lighting by electricity or using it for heat or power in cities, towns and villages within this state; "and to lay, erect and construct suitable wires or other conductors, with the necessary poles, pipes or other fixtures in, on, over and under the streets, avenues, public parks and places of such cities, towns or villages for conducting and distributing electricity, *with the consent of the municipal authorities thereof*, and in such manner and under such reasonable regulations as they may prescribe." The question is who were the municipal authorities in the city of New York whose consent was thus required at the time when the board of electrical control assumed to give such consent to the West Side Electric Company. The appellant contends that they were the members of the board of electrical control; the respondent insists that they were the board of aldermen.

We are of the opinion that the board of aldermen were in 1896 the municipal authorities contemplated by the language which has

been quoted from the Transportation Corporations Law. The giving of the consent prescribed by that statute is the grant of a franchise. The act of 1887 conferred no express power to grant such a franchise upon the board of electrical control nor are we able to discover that it was conferred by implication. That statute contained no enactment to the effect that the board of electrical control should be deemed to be the municipal authorities whose consent was made essential to the grant of a gas lighting or electric lighting franchise by the acts of 1848 and 1879 subsequently embodied in section 61 of the Transportation Corporations Law. The right to grant or withhold consent to the occupation of the streets of a municipality for electric lighting purposes is one thing; the right to regulate such occupation after consent is given is another. The act of 1887 was passed only in the exercise of the latter right. The purposes of this act seems to have been to vest in the board of electrical control the amplest administrative authority to regulate the exercise of rights after they should have been acquired, but not to bestow upon the board any authority to participate in the creation of such rights. This function of supervision could be vested in the board by the legislature in the exercise of police power. (See *People ex rel. N. Y. Electric Lines Co. v. Squire*, 107 N. Y. 593.) Beyond that the legislature did not attempt to go. It left the franchise giving power delegated by the state just where it was before, in the hands of the same municipal authorities. This court decided in *Ghee v. Northern Union Gas Co.* (*supra*) that the municipal assembly constituted the municipal authorities whose consent was essential to confer a franchise upon a gas company in the city of New York under subdivision 1 of section 61 of the Transportation Corporations Law, and the reasoning in that case requires a similar conclusion as to who were the municipal authorities who must consent before an electric light company could in 1896 acquire the right under subdivision 2 of the same section to lay down its conductors within the limits of the city. The board of aldermen then possessed the powers which belonged to the municipal assembly in 1899 when the *Ghee* case was decided, and the consent of the board of aldermen was, therefore, requisite at that time under section 61 of the Transportation Corporations Law in order to confer upon a corporation a gas lighting or electric lighting franchise to be exercised by the occupation of any portion of the streets of New York.

It is not deemed necessary to repeat the arguments which led to the result reached in the *Ghee* case, many of which are equally applicable here.

We are asked to adopt the interpretation of the act of 1887, which would sustain the position of the appellant on the ground that for several years the statute was practically construed in accordance with that view by various public officers in the State of New York. It is to be noted, however, that these officers did not all agree that such was the correct construction. The language was not ambiguous nor was the meaning doubtful when other legislation on the same subject-matter was taken into consideration. There is no room for the application of the doctrine of practical construction in the case of a statute free from ambiguity or not subject to any reasonable doubt as to the meaning of its provisions, particularly when these are considered in the light of contemporaneous legislative enactments in *pari materia*. "Where no ambiguity or doubt appears in the law we think the same rule obtains here as in other cases, that the court should confine its attention to the law and not allow extrinsic circumstances to introduce a difficulty where the language is plain." (Cooley's Const. Limitations [6th ed.], p. 84.)

Basing our conclusion on the language of the various statutory provisions involved as well as on the authority of *Ghee v. Northern Union Gas Co.* (*supra*), we think that the judgments below were right and should be affirmed, with costs.

CULLEN, Ch. J., EDWARD T. BARTLETT, HAIGHT, VANN and CHASE, JJ., concur; O'BRIEN, J., absent.

Judgment and order affirmed.

THE PEOPLE OF THE STATE OF NEW YORK ex rel. THE BROOKLYN UNION GAS COMPANY, Respondent, v. MARTIN W. LITTLETON, as President of the Borough of Brooklyn, and Others, Appellants.

(Second Department, January 12, 1906.)

Extension of franchise by growth of territorial limits.

APPEAL by the defendants, Martin W. Littleton, as president of the borough of Brooklyn, and others, from an order of the

Supreme Court, made at the Kings County Special Term and entered in the office of the clerk of the county of Kings on the 25th day of October, 1905, granting a peremptory writ of mandamus commanding the appellants to issue and deliver to the relator permits to open Flatbush avenue in the thirty-second ward of the borough of Brooklyn.

PER CURIAM. To sustain the order which this appeal brings up for review it is not necessary to assert the broad doctrine that a franchise to light the streets of a city extends with the enlargement of the city so as to embrace territory not within its boundaries when the franchise was originally granted. That doctrine finds support in some of the language in the case of *St. Louis Gas Light Co. v. City of St. Louis* (46 Mo. 121), although there was an element of estoppel in that case sufficient of itself to sustain the conclusion reached. We should hesitate to affirm this order, however, if its adoption were necessary to uphold the position of the relator in the present case.

The question presented by the appeal is whether the Brooklyn Union Gas Company has acquired a franchise to supply gas to the territory which formerly constituted the town of Flatlands and subsequently became the thirty-second ward of the city of Brooklyn and is now included within the limits of the city of New York. It appears that in 1897, before the original Greater New York charter (Laws of 1897, chap. 378) took effect, the common council of the city of Brooklyn duly adopted resolutions contemplating and providing for the execution of contracts with the Brooklyn Union Gas Company for the lighting of territory in the said thirty-second ward. At that time the common council of Brooklyn, like the common council of New York, was vested with the power to give the consent requisite to confer a franchise upon a gas lighting corporation. (*Ghee v. Northern Union Gas Co.*, 158 N. Y. 510, 516.) No particular form in which such consent must be given was prescribed by law. (*People ex rel. N. Y. & R. Gas Co. v. Cromwell*, 89 App. Div. 291, 294.) We think that the action of the Brooklyn common council, in passing the resolutions to which reference has been made, may fairly be regarded as the giving of the required consent; and in this view the action of the court at Special Term, in granting the peremptory writ of mandamus, was clearly correct. Any other interpretation of the resolutions would make them ineffective and meaningless, and would attribute to the common council an intention of putting the relator to trouble and

expense for the benefit of the people of the city, and, at the same time, denying to it any possible return for its labor, material and expenditure.

Order affirmed, with ten dollars costs and disbursements.

HIRSCHBERG, P. J., WOODWARD, JENKS and RICH, JJ., concurred.

THE POTSDAM LIGHT AND POWER COMPANY, Respondent, v. THE
VILLAGE OF POTSDAM and Others, Appellants.

(Third Department, May 2, 1906.)

Municipal plant — Consent of Commission of Gas and Electricity.

APPEAL by the defendants, The Village of Potsdam and others, from an order of the Supreme Court, made at the Saratoga Special Term and entered in the office of the clerk of the county of St. Lawrence on the 23d day of December, 1905, denying the defendants' motion to reopen the case and to give further testimony.

CHESTER, J. The action is brought by the plaintiff to restrain the defendants from the alleged illegal issue of \$40,000 of bonds, the proceeds of which the defendants propose to use in building an electric lighting plant to furnish the village of Potsdam and its inhabitants with light. One of the grounds of complaint is that the defendants have not received the certificate required by section 11 of chapter 737 of the Laws of 1905, which section provides that "no municipality shall build, maintain and operate for other than municipal purposes any works or systems for the manufacture and supply of gas or electricity for lighting purposes without a certificate of authority granted by the (Gas and Electricity) Commission."

We have at this term affirmed the judgment in favor of the plaintiff, on the opinion of the learned justice before whom the case was tried at Special Term. (49 Misc. Rep. 18.)

In this opinion he said: "Doubtless the statute does not apply to any case where the power has been partially exercised, as by the expenditure of money or property, or the incurring of any obligation properly and lawfully done in the carrying out of the then existing power to establish a lighting system." Encouraged by this statement the appellants, before the entry of judgment, made a motion to reopen the case and give further evidence to establish,

as they claimed, that the village of Potsdam had entered upon the work of establishing a lighting plant prior to the passage of the act in question, and had expended a large sum of money in constructing bulkheads, gates and dams in improving a water power which it had purchased in 1889. From the denial of this motion the defendants have also appealed.

The affidavits presented upon the motion made upon their face a very strong case for reopening, but the answering affidavits very clearly show that most of the alleged acts of and expenditures of money by the village authorities prior to the passage of the law were made in increasing the village *water* supply system and had no reference whatever to a municipal *lighting* system.

Before the passage of the act the village, it is true, authorized the expenditure of \$300 for the purpose of investigating, by the aid of experts, the feasibility of constructing an electric lighting plant, and as a result of such expenditure a recommendation was made to establish the plant, and also an electrical engineer was employed to prepare maps, plans and specifications for such plant. The president of the village also claims that he entered into a contract with the engineer to prepare such maps and specifications and to have general charge of the construction of the plant, for which services the engineer was to have five per cent fees, or \$2,000. There appears to have been no authority to contract with the engineer to have general charge of the work or to pay him therefor, but the trustees of the village passed resolutions accepting and adopting the maps, plans and specifications submitted by the engineer. The only expenditure of money before the passage of the act has been for investigating the feasibility of constructing the lighting plant and for the payment of an engineer to make plans and specifications therefor. Nothing in fact has been done in constructing the work called for by the plans, and, therefore, the case is not fairly brought within the exception mentioned by the trial Justice. More than this, it is entirely clear upon the affidavits used upon the motion that the village had entered into no contract or valid obligation of any kind looking to the construction of the plant recommended by the engineer and adopted by the board of trustees before the passage of the law, and, therefore, if the court had allowed the case to be reopened and all the evidence which the appellant desired had been introduced, the result would not have been changed. Moreover, the answer contains no allegation that the village had expended any money or

incurred any obligations toward or for the erection of a lighting plant prior to the passage of the law. The proposed evidence was, therefore, not material to any defense interposed. The court was entirely justified, therefore, in exercising its discretion in denying the motion to reopen the case.

The order should be affirmed, with ten dollars costs and printing disbursements.

✓ All concurred, except PARKER, P. J., not voting.

Order affirmed, with ten dollars costs and disbursements.

ARMOUR PACKING COMPANY, Appellant, v. EDISON ELECTRIC
ILLUMINATING COMPANY OF BROOKLYN, Respondent. (No. 2.)

(Second Department, October 5, 1906.)

Customer's recovery of excess charges by electric lighting company.

APPEAL by the plaintiff, the Armour Packing Company, from a judgment of the Supreme Court in favor of the defendant, entered in the office of the clerk of the county of Kings on the 31st day of July, 1905, upon the decision of the court, rendered after a trial at the Kings County Special Term, overruling the plaintiff's demurrer to the defendant's answer and dismissing the complaint upon the merits.

HOOVER, J. The plaintiff was a consumer of electricity for lighting purposes which had been supplied by the defendant. The action is to recover back a sum of money which, it is alleged, was paid to the defendant for this service over and above the sums paid by other persons, firms and corporations under similar circumstances and conditions, on the theory that the sums charged to the plaintiff were excessive and unjust to the extent of the amount of the excess over the rate charged for the same service under the same conditions to others. For a separate defense the defendant in his answer alleges that the payments made by the plaintiff were pursuant to the terms of a written contract which had theretofore been entered into between the parties respecting the services rendered by the defendant to the plaintiff. The plaintiff demurred to this separate defense on the ground that it was insufficient in law upon the face thereof. The learned court below, looking

into the sufficiency of the complaint and directing judgment dismissing the complaint, said: "The defendant was under no statutory obligation to furnish light at any particular price and under the common law as established by the decisions of the courts of this State the complaints do not state facts sufficient to constitute a cause of action. In no essential feature can these cases be distinguished from the case of *Killmer v. N. Y. C. & H. R. R. Co.*, 100 N. Y., p. 395."

On demurrer to the answer on the ground of insufficiency the defendant might attack the complaint because it does not state facts sufficient to support a cause of action. The demurrer searches the record for the first fault in pleading, and reaches back to condemn the first pleading that is defective in substance, because he who does not so plead as to invite an issue cannot compel his adversary so to plead as to accept it. (*Baxter v. McDonnell*, 154 N. Y. 432, 436.) It is proper for us then to consider first whether the complaint states a cause of action, and if the conclusion is reached that it does, a discussion of the separate defense contained in the answer should follow.

The complaint shows the incorporation of the parties, and alleges that for the purpose of supplying its customers with electricity for lighting and heating purposes defendant used the public highways, streets and alleys and public and private buildings; that on or prior to February 5, 1900, the plaintiff requested the defendant to furnish it electric current for lighting and power at four different places, and that from that time for the period of something over four years the plaintiff consumed a large amount of electricity at the places it was supplied, and that the defendant charged and plaintiff paid at the average rate of seventeen and twenty-six one-hundredths cents per kilowatt hour, which defendant demanded and plaintiff paid in full at the expiration of each month of when the defendant rendered to the plaintiff its bills for each month's service. The "Fifth" paragraph alleges: "Upon information and belief, that during all of said period the defendant wrongfully and unjustly discriminated against the said plaintiff in rendering to other persons, firms and corporations, under *similar circumstances and conditions, the same service* at a much less rate or price, to wit, for the average price of nine cents (9c.) per kilowatt hour, and in other instances rendered the same service under similar circumstances and conditions to other persons and firms upon a

sliding price scale of prices of ten, seven and one-half and five cents per kilowatt hour."

The plaintiff also alleges that the sum so received by the defendant was excessive and unjust to the extent of the amount of the excess over the rate charged for the same service under the same conditions to other of its customers. The "Eighth" paragraph of the complaint alleges: "That all of the payments made by the plaintiff to the defendant as set forth in paragraph fourth of this complaint, were made by the defendant without any notice or knowledge that others of the defendant's customers were receiving a more favorable rate and were made under the assumption and belief that defendant was computing the bills of all of its customers for similar service at the same rate charged this plaintiff."

The plaintiff alleges that before the commencement of this action that plaintiff demanded from defendant the repayment of the whole of the overcharge, which was refused by the defendant, and asks judgment for the excess.

The defendant is a public service corporation subject generally to the rules and conditions which govern common carriers and as such may not discriminate between its customers. It is said in 10 American and English Encyclopædia of Law (2d ed.), 869: "Electric-light companies being given the use of the streets and public ways for the erection of such appliances as are necessary for the maintenance of their works, and having the right to acquire the use of land for their business by writs of *ad quod damnum*, are quasi public corporations, and it is, therefore, their duty to furnish the city's inhabitants with electric light and to do so upon terms and conditions common to all and without discrimination. They cannot fix a variety of prices or impose different terms and conditions according to their caprice or whim."

The justice of this rule cannot well be doubted. Speaking of similar business, the Supreme Court of the United States has said that "The supplying of illuminating gas is a business of a public nature, to meet a public necessity. It is not a business like that of an ordinary corporation engaged in the manufacture of articles that might be furnished by individual effort." (*Gibbs v. Consolidated Gas Co. of Baltimore*, 130 U. S. 396, 400, 408.) In *Western Union Telegraph Co. v. Call Publishing Co.* (181 U. S. 92), the plaintiff in error was a quasi public corporation engaged in transmitting telegraphic messages for hire. The charge to the defendant in error was \$5 per hundred words and to the State

Journal Company \$1.50 per hundred words. The Call Publishing Company had judgment against the telegraph company on the theory that it had been unjustly discriminated against. The opinion in the Supreme Court states (p. 99): "The case, therefore, was not submitted to the jury upon the alleged efficacy of the Nebraska statute in respect to discriminations, but upon the propositions distinctly stated, that where there is dissimilarity in the services rendered a difference in charges is proper, and that no recovery can be had unless it is shown, not merely that there is a difference in the charges, but that that difference is so great as, under dissimilar conditions of service, to show an unjust discrimination, and that the recovery must be limited to the amount of the unreasonable discrimination. No one can doubt the inherent justice of the rules thus laid down. Common carriers, whether engaged in interstate commerce or in that wholly within the State, are performing a public service. They are endowed by the State with some of its sovereign powers, such as the right of eminent domain, and so endowed by reason of the public service they render. As a consequence of this, all individuals have equal rights both in respect to service and charges. Of course, such equality of right does not prevent differences in the modes and kinds of service and different charges based thereon. There is no cast-iron line of uniformity which prevents a charge from being above or below a particular sum, or requires that the service shall be exactly along the same lines. But that principle of equality does forbid any difference in charge which is not based upon difference in service, and even when based upon difference of service, must have some reasonable relation to the amount of difference, and cannot be so great as to produce an unjust discrimination."

Both reason and authority, therefore, sustain the plaintiff's contention that the defendant engaged in public service may not discriminate against it in favor of others in charges for the same service and under the same conditions.

The case of *Kilmer v. N. Y. C. & H. R. R. Co.* (100 N. Y. 395), cited by the learned Special Term, is not in point. There the plaintiff based his claim entirely upon an excessive and unreasonable charge, and it was not at all founded on the theory of an unjust discrimination. There was no proof in that case that the same or similar service had been rendered under the same or similar circumstances and conditions to others for a lesser rate.

The respondent urges strenuously that the plaintiff paid the full amount of the bills rendered him voluntarily, and without such mistake of fact as will permit it to recover in this action. The general rule is that money paid under mistake of a material fact may be recovered. The difficulty in applying this rule is to determine what "material facts" are. Little of that difficulty is experienced in the case at bar, for the ignorance alleged in the complaint is in respect to the lesser charges made others for the same service under the same conditions, and that ignorance of this fact is ignorance of a material fact must be apparent when it is considered that the charge of a lesser rate to others is in itself the unjust discrimination which is this gist of the action.

These facts lead to the conclusion that the complaint states facts sufficient to constitute a cause of action. The remaining inquiry presented by the plaintiff's demurrer to the separate defense in the answer is whether that defense is a mere allegation that payments were made pursuant to specific contracts. It being a separate defense, it must be treated as a complete defense to the whole cause of action. That it is insufficient in law almost follows as a corollary to the proposition that the defendant may not lawfully discriminate against the plaintiff in matter of charges in favor of others where the conditions are similar. In *Bank of Kentucky v. Adams Express Co.* (93 U. S. 174) it was said that the express company could not escape liability by reason of a stipulation in its contract limiting its common-law liability. Here the plaintiff contracted to pay certain rates in ignorance of the unjust discrimination the defendant was making against him, which discrimination has been shown to be unlawful, and certainly the payment cannot attain to the dignity of a defense complete in itself simply because it was the subject of a contract between the parties. The contract itself was a part of the unlawful discrimination, for by its terms plaintiff was required to pay rates in excess of those charged others for the same service under the same conditions. The mere fact that the payment was required, and so by reason of a contract, cannot very well excuse the defendant for the unjust discrimination which by reason of that contract springs into being.

Inasmuch as the complaint does state a cause of action and the separate defense demurred to is sufficient in law upon the face thereof, the judgment appealed from must be reversed and the demurrer sustained.

HIRSCHBERG, P. J., GAYNOR, RICH and MILLER, JJ., concurred.

Matter of the Application of the EAST CANADA CREEK ELECTRIC LIGHT & POWER COMPANY, Plaintiff, to Acquire Lands of NORMAN C. LOUCKS, NELLIE B. SMITH and FREDERICK EAKER, Defendants.

(Supreme Court, Herkimer Special Term, December, 1905.)

Condemnation by lighting company — Public use defined.

This is a proceeding to acquire certain lands of the defendants herein according to the provisions of the Condemnation Law.

WRIGHT, J. Under the Laws of 1896, chapter 446, plaintiff is given the right to acquire by condemnation proceedings the lands of defendant since they are necessary for the purposes of its incorporation. Further, furnishing light to a municipality is a public use and benefit. (*Matter of Bloomfield & Rochester Nat. Gas Light Co. v. Richardson*, 63 Barb. 437; *Johnson v. Thomson-Houston Elec. Co.*, 54 Hun, 469; *Consumers Gas & Elec. L. Co. v. Congress Spring Co.*, 61 Hun, 133; *Palmer v. Larchmont El. Co.*, 158 N. Y. 231) with regard to which the power of eminent domain may be exercised; and it is no objection that the plaintiff is a private corporation, so long as the use or purpose to which the property is to be devoted is public. See *Matter of Union El. R. Co. of Brooklyn*, 112 N. Y. 74; *Matter of Burns*, 155 id. 27; *Bloodgood v. Mohawk & Hudson R. Co.*, 18 Wend. 9.

The act contemplates the taking of property for public use and is constitutional. *Buffalo & N. Y. City R. Co. v. Brainard*, 9 N. Y. 100; *Matter of Burns*, *supra*.

Upon the papers presented the plaintiff is entitled to the relief demanded in the petition, and a judgment may be prepared accordingly in which the following named gentlemen may be appointed commissioners for the purpose of ascertaining and determining the compensation to be made to the owners for the property to be taken, viz.: Hon. Henry E. Turner, Lowville, Lewis county; Hon. Charles J. Palmer, Little Falls, Herkimer county, and Hon. E. J. Seeber, Adams, Jefferson county. See *Matter of Southern Boulevard R. R. Co.*, 146 N. Y. 352.

In the Matter of the Application of the NIAGARA, LOCKPORT AND ONTARIO POWER COMPANY, Respondent, Relative to Acquiring Title to Certain Real Estate, of Which ROSALIA KLAKA, Also Known as ROSALIE FLARKE, Appellant, and ANTHONY FLARKE Are the Owners or Persons Interested Therein.

(Fourth Department, March 7, 1906.)

Condemnation by electric power company — Immediate possession of lands pending proceedings — When owner cannot defeat.

APPEAL by Rosalie Flarke from an order of the Supreme Court, made at the Erie Special Term and entered in the office of the clerk of the county of Niagara on the 1st day of November, 1905, permitting the plaintiff to enter immediately upon the real property described in the petition herein.

The plaintiff is an electric transportation corporation duly organized pursuant to the laws of the State of New York, and is engaged in constructing a line for the transmission of electricity from the city of Buffalo eastwardly to the central part of the State. Maps of the route have been filed, surveys made, nearly all the land necessary for the right of way, and which comprises a strip 200 feet in width, has been acquired in the counties of Erie, Niagara, Orleans and Monroe, and much of the actual work of construction has been performed.

The appellant, Rosalie Flarke, owns land in the town of Lockport, in the county of Niagara, one and three-fourths acres of which the plaintiff is seeking to acquire. Proceedings were commenced by plaintiff for the condemnation of the land mentioned in August last. An answer was interposed by the appellant denying nearly all the allegations of the petition, also containing affirmative defenses; and the issues were, in the latter part of September, referred to a referee, and the proceeding is still undetermined.

Early in October the present proceeding was commenced and an order granted at Special Term permitting the plaintiff to enter immediately upon the premises of the defendant described in the petition upon depositing with the court the sum of \$500, to be applied toward the payment of any award which may be made to her, including the costs and expenses of the proceeding. The money has been deposited in pursuance of the order. Other facts appear in the opinion.

SPRING, J. The petition alleges that the value of the property to be condemned is three hundred and fifty-five dollars and eighty

cents, and the affidavit of Mr. Scoby states that the land is assessed at thirty dollars an acre, and is worth not to exceed seventy-five dollars an acre. The answer of the defendant specifically denies the estimate placed upon the property by the plaintiff, but does not contain any statement of its value. The appellant's contention is that the court consequently had no jurisdiction to designate or to ascertain a sum upon the payment of which temporary possession would be accorded it of the defendant's property.

The original proceeding is the usual one to acquire property for a public use where the plaintiff is unable to agree with the owner for its purchase, and seeks to have the compensation ascertained by commissioners as prescribed in section 3360 of the Code of Civil Procedure. The answer raised issues to be tried. There are two provisions of the Code of Civil Procedure pertaining to the possession of property by a condemning plaintiff, and which were incorporated in the Code of Civil Procedure by chapter 95 of the Laws of 1890. Section 3379 (as amd. by Laws of 1900, chap. 774 applies where the plaintiff is already in possession of the property sought to be condemned. Section 3380, which governs in the present instance, is applicable where the plaintiff is not in possession, but an answer has been interposed, "and it appears to the satisfaction of the court that the public interests will be prejudiced by delay;" thereupon the plaintiff may be given the immediate possession of the property to be taken, and permitted to devote it temporarily to the public use specified in the petition, "upon depositing with the court the sum stated in the answer as the value of the property." Subsequent provisions of the same section relate to the application of the money upon the termination of the proceeding, the payment of costs, etc., providing also for a judgment for deficiency if the sum deposited is inadequate to meet the award.

The position of the defendant is that inasmuch as the object of this section is to enable a corporation or person, for the use of the public, to deprive the owner temporarily, but against his will, of his own property, it must receive a strict construction; and as the answer omitted to contain any statement of the value of the property, the order is erroneous. We think this interpretation of the section is too narrow. The interposition of an answer often results in delaying for some time the termination of the proceeding to condemn. The owner of land who is endeavoring to obtain an exorbitant sum from the plaintiff for his premises may interpose

an answer and block the prosecution of the work in the face of the paramount necessity for its accomplishment. To guard against this unfair obstruction of the work, the Legislature came to the rescue by the enactment of the two sections mentioned. They are similar in the object to be attained and in the manner of accomplishment, except where the plaintiff is in possession, security in lieu of the payment of money may be directed by the court upon granting the order for the continuance of possession.

By section 3380, as well as by the preceding section, the Legislature had two cardinal purposes in view. *First.* Where the prosecution of the work contemplated by its charter was demanded by the public interests and prejudicial delay was likely to ensue from the interposition of an answer, a remedy was afforded the plaintiff to acquire immediate possession pending the proceeding. *Second.* The rights of the owner were sufficiently protected by the payment of the sum which he claimed under oath was the fair value of the property of which he was to be deprived. The mode of procedure prescribed is, consequently, beneficial to both parties. The right of the company to condemn being established, and the prejudice to public interests by delay appearing, the court will make the order, which, on the one hand, will enable the work to be carried on, and, on the other, will insure compensation to the owner for the property taken.

The reason for taking the value specified in the answer as the sum to be paid is to insure the defendant the full worth of his premises beyond a peradventure. If he intentionally or otherwise fails to state any value at all, the court is not thereby prevented from granting the relief where "the public interests will be prejudiced by delay." In construing the section we must keep in mind that the basic ground for the relief is the needs of the public. If the deposit made is entirely adequate the defendant is fully safeguarded, and that is precisely what the statute intended. It is of little importance how the sum to be paid is arrived at if the object designed is attained and the defendant is assured the full sum which may eventually be awarded him.

The counsel for the appellant admitted upon the oral argument of this appeal that the justice at Special Term endeavored to ascertain from him what he regarded as adequate compensation to his client. But the counsel declined to make any estimate, preferring to rest his opposition upon the proposition that the failure to state any value in the answer barred the court from granting re-

lief to the plaintiff. So upon the argument of the appeal counsel declined, upon invitation of the presiding justice, to inform the court whether he complained that the sum deposited was insufficient, reiterating the reason for his refusal. He also admitted that there had been no attempt on the part of the plaintiff to delay or obstruct the pending condemnation proceeding. We must assume, consequently, the concrete controlling fact that the sum deposited is ample to pay the defendant any award which will be made to her and protect her in every respect. The aim of the statute has, therefore, been accomplished.

Section 3365 of the Code of Civil Procedure does not require the defendant in condemnation proceedings to state the value of the property in his answer. It is not conceivable that the Legislature in the light of this fact would leave a loophole so that a contentious owner at any time might render nugatory the relief provided for in section 3380 by simply omitting to allege the value of the property sought to be taken.

Section 3382 of the Code of Civil Procedure is in point in so far as it denotes the purpose of the Legislature to invest the courts with general authority to make effectual "the object and intent" of the Condemnation Law. If the answer does not state the value of the property the "manner of conducting * * * the proceedings therein is not expressly provided for by law." (§ 3382.) The only specific authority to compel the owner to give up temporary possession of his property is founded upon the allegation of value in the answer. But the intent of the Legislature was to permit the plaintiff to obtain possession upon the payment of a sufficient sum to compensate the owner fully; and if the conduct of the defendant, whether in good faith, inadvertently or maliciously, renders a strict compliance with section 3380 impossible, the general authority conferred upon the court by section 3382 is sufficiently comprehensive to enable the obvious purpose to be accomplished. As was said in *People ex rel. Wood v. Lacombe* (99 N. Y. 43, 49): "In the interpretation of statutes, the great principle which is to control is the intention of the Legislature in passing the same, which intention is to be ascertained from the cause or necessity of making the statute as well as other circumstances."

While the Condemnation Law by chapter 95 of the Laws of 1890, was made a part of the Code of Civil Procedure, yet section 3380 of that Code in its present form is a new provision. The right, however, to obtain temporary possession of the owner's land

by a railroad company upon the payment into court of a sufficient sum, where pending the proceeding for condemnation it developed that the title of the defendant was defective, had been operative for some time. (Laws of 1850, chap. 140, § 21, as amd. by Laws of 1869, chap. 237; Laws of 1877, chap. 224, and Laws of 1881, chap. 649. See also Laws of 1875, chap. 606, § 24.) The pith of that statute composes section 3380 of the Code of Civil Procedure. The Legislature, in re-enacting the substance of the law, did not intend to vest an obstructing owner with full power to render its operation ineffective. He cannot prevent the adoption of that part of the statute which inures to the benefit of the public by refusing to avail himself of that portion which is beneficial to him.

Nor is section 3380 of the Code of Civil Procedure violative of section 6 of article 1 of the State Constitution. The property of the defendant is not taken from her without compensation. The essence of the section permitting possession to be acquired is that the owner must be assured the payment of the full value of the land of which he is deprived. It has long been held that payment to the owner personally is not an essential prerequisite to the taking of the land by right of eminent domain providing only compensation is made certain. (*Bloodgood v. Mohawk & H. R. R. Co.*, 18 Wend. 9.)

The plaintiff was created pursuant to chapter 722 of the Laws of 1894. Its sphere of operation was originally confined to the counties of Erie, Niagara and Orleans, but since its incorporation its certificate has been amended, whereby it is claimed the range of its territory and the scope of its business have been enlarged. Its purposes, as disclosed in section 8 of the act mentioned, are the supplying of pure and wholesome water and electricity to the towns, villages and cities along its route, and the generation, accumulation, transmission and distribution of electricity for a large number of objects enumerated in said section. It is given authority to take water from Niagara river (§ 10); to use the streets and highways and lay pipes therein (§ 11); to acquire land by purchase or condemnation proceedings (§§ 12, 13). Its power is coincident with that of other corporations organized for the profit of the incorporators, but designed also for the benefit of the public.

The plaintiff has already entered into a contract for the construction of a canal, which is in process of building, and which when completed will be of sufficient capacity to generate 200,000 horse power. It has entered into an agreement with a Canadian

power company whereby it is to receive a large quantity of electric power, a considerable portion of which is ready for delivery. It has also entered into an agreement with a construction company for the delivery of power to be used in the operation of certain street surface railroads, which are named in the moving papers, and the affidavits show that it is important that this power be delivered early during the present year. The contract calls for the delivery of this power at an early date, and the plaintiff is actively prosecuting the building of its line. The transmission of the electricity is at high voltage and along wires nine-tenths of an inch in diameter, which are supported by steel towers fifty feet in height. To transmit the electricity of the extraordinary high voltage of from 10,000 to 60,000 volts in wires along the streets or highways would be dangerous and impracticable.

The extent of the business contemplated, including as it does the furnishing of electricity for the use of the inhabitants in a thickly settled and extensive territory for illuminating purposes and for the use of extensive street surface railroads, we think constitutes a public use within the definition of that comprehensive term. (*Pocantico Water Works Co. v. Bird*, 130 N. Y. 249, 258 *et seq.*; *Matter of Burns*, 155 id. 23.)

The fact also sufficiently appears that "the public interests will be prejudiced by delay" if the defendant is allowed to block the plaintiff in the fulfillment of the plan for which it was organized, and retard the furnishing of electricity or water to the inhabitants along its route, or in supplying electrical power for the operation of railroads and for other necessary purposes which may fairly be for the benefit of the public.

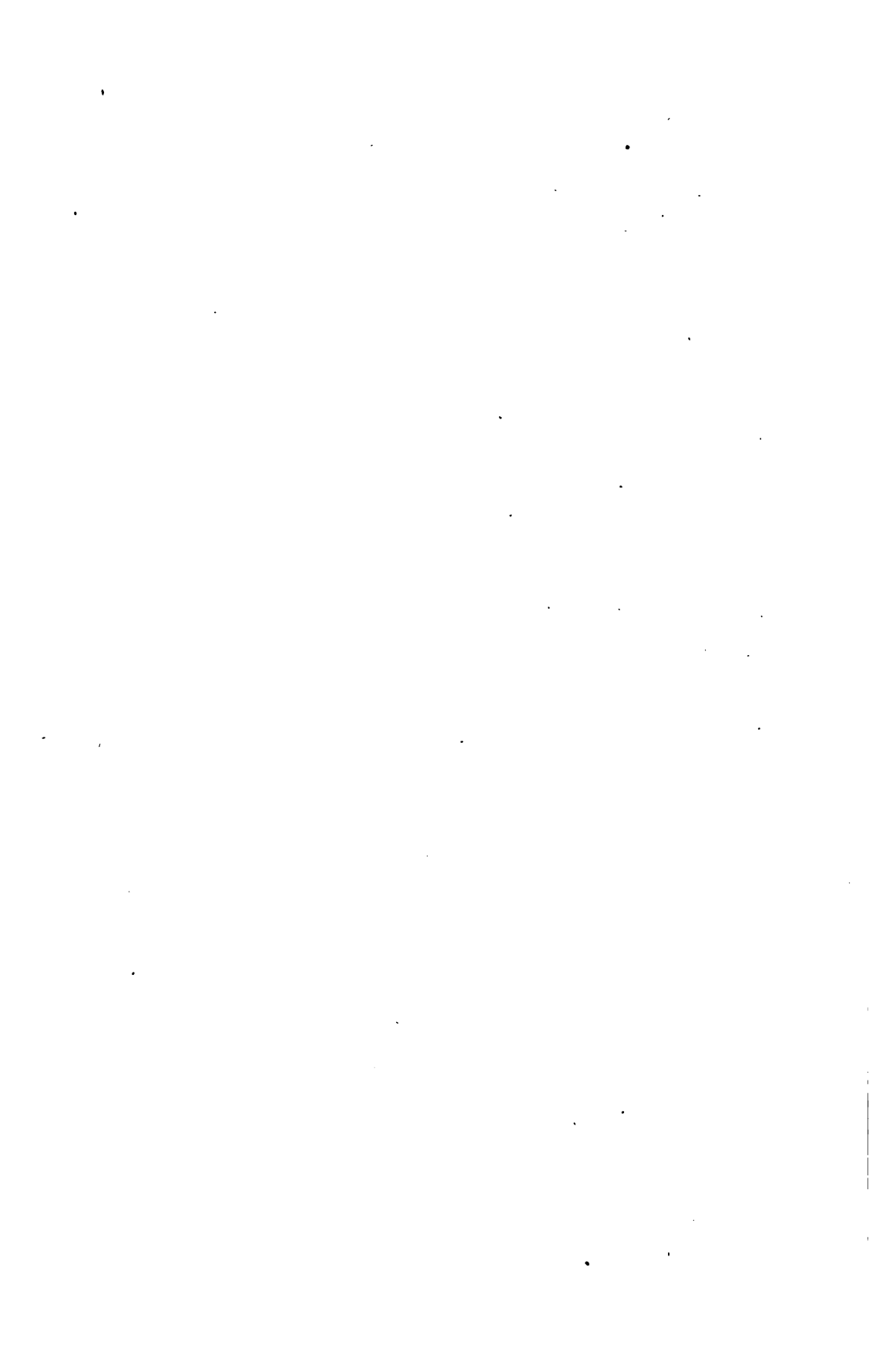
The order should be affirmed.

All concurred.



APPENDIX "J."

**THE BURTON ACT: A FEDERAL ACT FOR THE CONTROL AND REG-
ULATION OF THE WATERS OF NIAGARA RIVER.**



APPENDIX "J."

THE BURTON ACT.

(Public No. 367.)

AN ACT for the control and regulation of the waters of Niagara river, for the preservation of Niagara falls, and for other purposes.

Section 1. Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the diversion of water from Niagara river or its tributaries, in the state of New York, is hereby prohibited, except with the consent of the secretary of war as hereinafter authorized in section two of this act: Provided, That this prohibition shall not be interpreted as forbidding the diversion of the waters of the great lakes or of Niagara river for sanitary or domestic purposes, or for navigation, the amount of which may be fixed from time to time by the congress of the United States or by the secretary of war of the United States under its direction.

§ 2. That the secretary of war is hereby authorized to grant permits for the diversion of water in the United States from said Niagara river or its tributaries for the creation of power to individuals, companies, or corporations which are now actually producing power from the waters of said river, or its tributaries, in the state of New York, or from the Erie canal; also permits for the transmission of power from the Dominion of Canada into the United States, to companies legally authorized therefor, both for diversion and transmission, as hereinafter stated, but permits for diversion shall be issued only to the individuals, companies, or corporations as aforesaid, and only to the amount now actually in use or contracted to be used in factories the buildings for which are now in process of construction, not exceeding to any one individual, company or corporation as aforesaid a maximum amount of eight thousand six hundred cubic feet per second, and not exceeding to all individuals, companies or corporations as aforesaid an aggregate amount of fifteen thousand six hundred cubic feet per second; but no revocable permits shall be issued by the

said secretary under the provisions hereafter set forth for the diversion of additional amounts of water from the said river or its tributaries until the approximate amount for which permits may be issued as above, to wit, fifteen thousand, six hundred cubic feet per second, shall for a period of not less than six months have been diverted from the waters of said river or its tributaries, in the state of New York: Provided, That the said secretary, subject to the provisions of section five of this act under the limitations relating to time above set forth is hereby authorized to grant revocable permits, from time to time to such individuals, companies, or corporations, or their assigns, for the diversion of additional amounts of water from the said river or its tributaries or such amount, if any, as, in connection with the amount diverted on the Canadian side, shall not injure or interfere with the navigable capacity of said river, or its integrity and proper volume as a boundary stream, or the scenic grandeur of Niagara falls; and that the quantity of electrical power which may by permits be allowed to be transmitted from the Dominion of Canada into the United States, shall be one hundred and sixty thousand horse power: Provided further, That the said secretary, subject to the provisions of section five of this act, may issue revocable permits for the transmission of additional power so generated in Canada, but in no event shall the amount included in such permits, together with the said one hundred and sixty thousand horse power, and the amount generated and used in Canada, exceed three hundred and fifty thousand horse power: Provided always, That the provisions herein permitting diversions and fixing the aggregate horse power herein permitted to be transmitted into the United States, as aforesaid, are intended as a limitation on the authority of the secretary of war, and shall in no wise be construed as a direction to said secretary to issue permits, and the secretary of war shall make regulations preventing or limiting the diversion of water and the admission of electrical power as herein stated; and the permits for the transmission of electrical power issued by the secretary of war may specify the persons, companies, or corporations by whom the same shall be transmitted, and the persons, companies, or corporations to whom the same shall be delivered.

§ 3. That any person, company, or corporation diverting water from the said Niagara river or its tributaries, or transmitting electrical power into the United States from Canada, except as herein stated, or violating any of the provisions of this act, shall

be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding two thousand five hundred dollars nor less than five hundred dollars, or by imprisonment (in the case of a natural person) not exceeding one year, or by both such punishments, in the discretion of the court. And, further, the removal of any structures or parts of structures erected in violation of this act, or any construction incidental to or used for such diversion of water or transmission of power as is herein prohibited, as well as any diversion of water or transmission of power in violation hereof, may be enforced or enjoined at the suit of the United States by any circuit court having jurisdiction in any district in which the same may be located, and proper proceedings to this end may be instituted under the direction of the attorney-general of the United States.

§ 4. That the president of the United States is respectfully requested to open negotiations with the government of Great Britain for the purpose of effectually providing, by suitable treaty with said government, for such regulation and control of the waters of Niagara river and its tributaries as will preserve the scenic grandeur of Niagara falls and of the rapids in said river.

§ 5. That the provisions of this act shall remain in force for three years from and after date of its passage, at the expiration of which time all permits granted hereunder by the secretary of war shall terminate unless sooner revoked, and the secretary of war is hereby authorized to revoke any or all permits granted by him by authority of this act, and nothing herein contained shall be held to confirm, establish, or confer any rights heretofore claimed or exercised in the diversion of water or the transmission of power.

§ 6. That for accomplishing the purposes detailed in this act the sum of fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated from any moneys in the treasury not otherwise appropriated.

§ 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Approved, June 29, 1906.



APPENDIX "K."

**ALLOTMENT OF THE SECRETARY OF WAR UNDER THE BURTON
ACT.**



APPENDIX "K."

IN THE MATTER OF APPLICATION UNDER THE BURTON ACT FOR THE ISSUE OF PERMITS TO DIVERT WATER FOR POWER FROM THE NIAGARA FALLS ON THE AMERICAN SIDE AND TO TRANSMIT ELECTRICAL CURRENT, DEVELOPED FROM WATER POWER ON THE CANADIAN SIDE, INTO THE UNITED STATES.

Opinion by the Secretary of War.

Ten or more applications have been filed in this Department for the issuing of permits by the Secretary of War, part of them for the diversion of water for power from Niagara Falls on the American side, and the remainder for the transmission of electrical currents, developed from water diverted from the falls on the Canadian side, into the United States. These applications are filed under what is known as the Burton Act, passed June 29, 1906, and entitled "An act for the control and regulation of the waters of the Niagara river, for the preservation of Niagara falls, and for other purposes."

The first section of the act forbids the diversion of water from the Niagara river, or its tributaries in the State of New York, except with the consent of the Secretary of War, as authorized in section 2, with a proviso, the meaning of which is not here important.

The second, fourth, and fifth sections of the act I set out in full, as follows:

"§ 2. That the secretary of war is hereby authorized to grant permits for the diversion of water in the United States from said Niagara river or its tributaries for the creation of power to individuals, companies, or corporations which are now actually producing power from the waters of said river, or its tributaries, in the state of New York, or from the Erie canal; also permits for the transmission of power from the Dominion of Canada into the United States, to companies legally authorized therefor, both for diversion and transmission, as hereinafter stated, but permits for diversion shall be issued only to the individuals, companies or corporations as aforesaid, and only to the amount now actually

in use or contracted to be used in factories, the buildings for which are now in process of construction, not exceeding to any one individual, company or corporation as aforesaid, a maximum amount of eight thousand six hundred cubic feet per second, and not exceeding to all individuals, companies or corporations as aforesaid an aggregate amount of fifteen thousand six hundred cubic feet per second; but no revocable permits shall be issued by the said secretary under the provisions hereafter set forth for the diversion of additional amounts of water from the said river or its tributaries until the approximate amount for which permits may be issued as above, to wit, fifteen thousand, six hundred cubic feet per second, shall for a period of not less than six months have been diverted from the waters of said river or its tributaries, in the state of New York: Provided, That the said secretary, subject to the provisions of section five of this act, under the limitations relating to time above set forth is hereby authorized to grant revocable permits, from time to time, to such individuals, companies or corporations, or their assigns, for the diversion of additional amounts of water from the said river or its tributaries to such amount, if any, as, in connection with the amount diverted on the Canadian side, shall not injure or interfere with the navigable capacity of said river, or its integrity and proper volume as a boundary stream, or the scenic grandeur of Niagara falls; and that the quantity of electrical power which may by permits be allowed to be transmitted from the Dominion of Canada into the United States, shall be one hundred and sixty thousand horse power: Provided further, That the said secretary, subject to the provisions of section five of this act, may issue revocable permits for the transmission of additional electrical power so generated in Canada, but in no event shall the amount included in such permits, together with the said one hundred and sixty thousand horse power and the amount generated and used in Canada, exceed three hundred and fifty thousand horse power: Provided always, That the provisions herein permitting diversions and fixing the aggregate horse power herein permitted to be transmitted into the United States, as aforesaid, are intended as a limitation on the authority of the secretary of war, and shall in no wise be construed as a direction to said secretary to issue permits,

and the secretary of war shall make regulations preventing or limiting the diversion of water and the admission of electrical power as herein stated; and the permits for the transmission of electrical power issued by the secretary of war may specify the persons companies, or corporations by whom the same shall be transmitted, and the persons, companies, or corporations to whom the same shall be delivered.

"§ 4. That the president of the United States is respectfully requested to open negotiations with the government of Great Britain for the purpose of effectually providing, by suitable treaty with said government, for such regulation and control of the waters of Niagara river and its tributaries as will preserve the scenic grandeur of Niagara falls and of the rapids in said river.

"§ 5. That the provisions of this act shall remain in force for three years from and after date of its passage, at the expiration of which time all permits granted hereunder by the secretary of war shall terminate unless sooner revoked, and the secretary of war is hereby authorized to revoke any or all permits granted by him by authority of this act, and nothing herein contained shall be held to confirm, establish, or confer any rights heretofore claimed or exercised in the diversion of water or the transmission of power."

The third section provides a punishment for violations of the act, and the method of enforcing it.

The plain purpose of the act is to restrict, as far as lies in the power of the Congress, the diversion of the water from the Niagara river above the falls in such a way as to reduce the volume of the water going over the falls, and the plan of Congress in so doing is to effect this purpose by directly prohibiting the diversion of water on the American side, and by taking away the motive for diverting water on the Canadian side, by denying a market for electrical power generated on the Canadian side in the United States. The prohibition in the act is not absolute, however. It is clear that Congress wished, so far as it could, to accomplish its purpose with as little sacrifice of the pecuniary interests of those who had actually made investments, on the faith of the continued unrestricted diversion of water on the American side, or the continued unrestricted transmission of electrical power from Canada into the United States, as was consistent

with the preservation of the integrity and volume of the Niagara river passing over the falls.

The International Waterways Commission, a body appointed under a statute of the United States to confer with a similar body appointed under a statute of Canada, to make recommendations with reference to the control and government of the waters of the Great Lakes and the valley of the St. Lawrence, have looked into the question of the amount of water which could be withdrawn on the American and the Canadian side of the Niagara river without substantial injury to the cataract as one of the great natural beauties of the world, and after a most careful examination they have reported, recognizing fully the necessity of preserving intact the scenic grandeur of the Niagara Falls, that it would be wise to restrict diversion to 28,600 cubic feet a second on the American side of the Niagara river (this to include 10,000 cubic second feet for the Chicago drainage canal), and to restrict the diversion on the Canadian side to 36,000 cubic feet a second. This report was in answer to a resolution of Congress calling for an expression of opinion, and thereupon Congress provided that the Secretary of War should be permitted, but not required, to issue permits in the first instance for the diversion of 15,600 cubic feet on the American side of Niagara river and in the Erie canal, to persons or corporations actually engaged in the diversion of water and its use for power on that side, for six months, with leave to increase the same after six months shall have shown the effect of such diversion, if it will not affect the scenic grandeur of the falls. Congress further provided in the act, with reference to the power generated on the Canadian side, that the Secretary of War should be authorized, but not required, to issue permits for the transmission of 160,000 horse power from the Canadian side to the markets of the United States, and then provided that he might issue revocable permits for the transmission of a larger amount, provided that the total amount transmitted, together with that generated and used on the Canadian side, should not exceed 350,000 horse power, or the equivalent of the diversion from the falls of about 28,000 cubic feet of water.

I have already said that the object of the act is to preserve Niagara Falls. It is curious, however, that this purpose as a limitation upon the granting of permits by the Secretary of War is only specifically recited in reference to his granting of permits for diversion of additional amounts of water over 15,600 cubic

feet on the American side, which are to be limited to "such amount, if any, as in connection with the amount diverted from the Canadian side, shall not interfere with the navigable capacity of said river or its integrity and proper volume as a boundary stream, or the scenic grandeur of Niagara Falls." This peculiarity in the act is significant of the tentative opinion of Congress that 15,600 cubic feet of water might be diverted on the American side and 160,000 electrical horse power might be transmitted from the Canadian side without substantial diminution of the scenic grandeur of the falls. Undoubtedly Congress left it to the secretary to reduce this total thus indicated in the matter of permits, if he differed with this intimation of the Congressional view. Acting, however, upon the same evidence which Congress had, and upon the additional statement made to me at the hearing by Dr. John M. Clark, State Geologist of New York, who seems to have been one of those engaged from the beginning in the whole movement for the preservation of Niagara Falls, and who has given close scientific attention to the matter, I have reached the conclusion that with the diversion of 15,600 cubic feet on the American side, and the transmission of 160,000 horse power from the Canadian side, the scenic grandeur of the falls will not be affected substantially or perceptibly to the eye.

With respect to the American falls, this is an increase of but 2,500 cubic feet a second of what is now being diverted, and has been diverted for many years and has not affected the falls as a scenic wonder.

With respect to the Canadian side the water is drawn from the river in such a way as not to affect the American falls at all, because the point from which it is drawn is considerably below the level of the water at the point where the waters separate above Goat island, and the Waterways Commission and Dr. Clark agree that the taking of 13,000 cubic feet from the Canadian side will not in any way affect or reduce the water going over the American falls. The water going over the falls on the Canadian side of Goat island is about five times the volume of that which goes over the American falls, or counting the total as 220,000 cubic feet a second, the volume of the Horseshoe falls would be about 180,000 cubic feet. If the amount withdrawn on the Canada side for Canadian use were 5,000 cubic feet a second, which it is not likely to be during the three years' life of these permits, the total to be withdrawn would not exceed 10 per cent. of the volume

of the stream, and considering the immense quantity which goes over the Horseshoe falls, the diminution would not be perceptible to the eye.

I have given full hearing to the American Civic Association and to others interested in the preservation of the falls, but nothing has been brought forward that really has any evidential force, to affect the soundness of these conditions.

By my direction, Captain Charles W. Kutz, of the corps of engineers, United States army, made an investigation into the circumstances of each corporation applying for permits for diversion or transmission. The subjects upon which Captain Kutz was ordered to report are described in my memorandum opinion of July 14, 1906, as follows:

“It is necessary that the Secretary of War should know, before final action is taken by him, in the matter of permits, for transmission, the capital already invested in the Canadian companies, the degree of completion of the plant, the amount likely to be sold on the Canadian side of the current, the time when the plant shall be ready for operation; the amount now actually produced; the amount now actually transmitted to the United States; the amount invested not only in the production of the current but in the plant and machinery for its transmission, including the poles and wires, and all the details; and also the capital invested by the American companies who are to receive in the first instance the current thus produced; the form in which that capital is, and the contracts into which they have entered both with the Canadian companies and with the companies or persons to whom they expect to sell the current; the dates of these contracts, and all the circumstances tending to show the extent of the injury that a refusal to grant the permits requested would cause to the investment of capital, together with the question of when the contracts were made upon which the claims for the use of current are based, with a view to determining the good faith with which these contracts were entered into, and whether the threatened passage of law induced their making.”

Captain Kutz has made a report both with respect to the companies applying for permits on the American side and those applying for permits on the Canadian side, and I wish to express my great satisfaction at the thoroughness and spirit of judicial

fairness with which Captain Kutz and those who are associated with him have done their work.

Taking up first the applications for permits for diversion on the American side, there is no room for discussion or difference. The Niagara Falls Power Company is now using about 8,600 cubic feet of water a second and producing about 76,630 horse power. There is some question as to the necessity of using some water for sluicing. This must be obtained from the 8,600 cubic feet permitted, and the use of the water for other purposes when sluicing is being done must be diminished. The Niagara Falls Hydraulic Power & Manufacturing Company is now using 4,000 cubic second feet, and has had under construction for a period long antedating the Burton Act a plant arranged to divert 2,500 cubic second feet and furnish 36,000 horse power to the Pittsburgh Reduction & Mining Company. A permit will, therefore, issue to the Niagara Falls Hydraulic Power & Manufacturing Company for the diversion of 6,500 cubic second feet, and the same rule must obtain as to sluicing as already stated.

As the object of the act is to preserve the scenic beauty of Niagara Falls, I conceive it to be within my power to impose conditions upon the granting of these permits, compliance with which will remedy the unsightly appearance that is given to the American side of the canyon just below the falls on the American side where the tunnel of the Niagara Falls Power Company discharges and where the works of the hydraulic company are placed.

The representative of the American Civic Association has properly described the effect upon the sightseer of the view toward the side of the canyon to be that of looking into the backyard of a house negligently kept. For the purpose of aiding me in determining what ought to be done to remove this eyesore, including the appearance of the buildings at the top, I shall appoint a committee consisting of Charles F. McKim, Frank D. Millet and F. L. Olmstead to advise me what changes at an expense not out of proportion to the extent of the investment can be made which will put the side of the canyon at this point from bottom to top in natural harmony with the falls and the other surroundings, and will conceal as far as possible the raw commercial aspect that now offends the eye. This consideration has been kept in view in the construction of works on the Canadian side and in the buildings of the Niagara Falls Power Company above the falls. There is no reason why similar care should not be enforced here.

Water is being withdrawn from the Erie canal at the lake level for water-power purposes, and applications have been made for permits authorizing this. Not more than 400 cubic feet is thus used in the original draught of water that is not returned to the canal in such a way as to lower the level of the lake. The water is used over and over again. It seems to me that the permit might very well be granted to the first used. As the water is taken from the canal, which is State property, and the interest and jurisdiction of the Federal government grow out of the indirect effect upon the level of the lake, the permit should recite that this does not confer any right upon a consumer of the water to take the water from the canal without authority and subject to the conditions imposed by the canal authorities, but that it is intended to operate, and its operation is limited to confer, so far as the Federal government is concerned, and the Secretary of War is authorized, the right to take the water and to claim immunity from any prosecution or legal objection under the fifth section of the Burton Act. I shall refer the form of the permit with these directions to the International Waterways Commission to prepare it.

I come now to the question of the permits to be granted to the applicants for the right to transmit electrical current from plants generating it on the Canadian side from the Niagara river.

The applicants are four: The International Railway Company, which applies for a permit for 8,000 horse power; the Niagara, Lockport & Ontario Company, speaking in its own interest and that of the Ontario Power Company, for 90,000 horse power; the Electric Transmission Company, speaking for itself and the Electrical Development Company, for 62,500 horse power, and the Niagara Falls Power Company, speaking for the Canadian Niagara Power Company, for 121,500 horse power.

Captain Kutz recommended that the International Railway Company be not granted any permit, but that out of the 160,000 horse power, 2,500 be reserved in order that it might be granted to the International Railway Company when that company shall have obtained permission from the Commissioners of the Queen Victoria Niagara park to transmit the current through the park. The question of the company's right is pending before the Dominion government. Some years prior to 1901, this railway company, which owns all the railways in Buffalo and the neighboring cities and towns, bought a Canadian electric railway running

from Chippewa to Queenstown, together with a bridge just below the falls, and one at Lewiston, so as to make a loop with the railways on the American side. For this Canadian railway, the applicant paid \$1,333,000. It had a small power plant located in the Queen Victoria park, and under its charter it could only use power generated therefrom to run the Canadian railway. In 1901, this charter was amended so as to permit the use of electricity for its railroads on both sides, and the plant has been developed by the expenditure of \$265,000, so that now it can generate 3,600 horse power. The effective head is sixty-eight feet, so that it takes about twice as much water to develop this power per horse power as in the great plants I shall hereafter describe. It is quite clear that the original investment in the purchase of the railway was not made to secure the transmission of electric power across the boundary, because there was no power to do so under the charter. The subsequent investment of \$265,000 can perhaps be said to have been made with this in view. Captain Kutz recommended that 2,500 horse power be reserved for this company. The Commissioners of Queen Victoria park refused to approve the plans of this company for a transmitting line to the boundary, so that it cannot now use the electricity except on the Canadian line where it uses 1,200 horse power. It generates now 3,600 horse power. The permit of 2,500 horse power would effect a saving of \$30,000 a year. The investment for transmission to the United States does not exceed \$265,000. All that can be reasonably expected from the outlay under the circumstances is not to exceed 7 per cent. on the remainder, or about \$18,000. The permit should not, therefore, issue for more than three-fifths of 2,500 horse power or 1,500 horse power. The fact that it may generate 3,600 horse power by the expenditure of \$150,000 I do not regard as important, and I carry out the purpose of Congress in taking away any motive for making such an investment. The amount of 1,500 horse power will be reserved to await the decision of the Dominion government in the controversy between the International Railway Company and the Commissioners of Queen Victoria park. This leaves out of the 160,000 horse power, 158,500 horse power to be distributed to the other three companies. Let us consider their financial status and prospects.

The Ontario Power Company was incorporated in 1887, and there was no limitation in its charter upon the amount of power which it might generate. Its plans, however, were subject to the

approval of the Commissioners of Queen Victoria park, and plans for its works have been approved for 180,000 horse power. The head works for this amount have been constructed and located above the first line of rapids. It was necessary under the plans to construct three conduits through the park. Only one of these conduits has been constructed, and it has a capacity to supply six generating units, three for 10,000 horse power each and three of 12,000 each, or 66,000 horse power in all. The cost to complete the six units and thus produce 66,000 is \$6,500,000. The amount required to complete the plant to the projected size, producing 180,000 horse power, would be \$6,500,000 additional; and the amount required to produce 120,000 horse power would be about \$3,200,000. In addition to this, the Ontario Transmission Company, an ancillary company to the main power company, has expended about \$1,000,000 in transmission, right of way and plant, and the power company has entered into contracts for the furnishing of 6,000 horse power with an option by the purchasers to increase this to 13,000 for Canadian consumption. The Niagara, Lockport & Ontario Company of New York is affiliated with the Ontario Power Company, and it has constructed a very elaborate transmission plant from the international boundary to Lockport, from Lockport to Buffalo and from Lockport by way of Rochester to Syracuse. It has expended \$2,785,000, of which \$1,200,000 was for right of way and \$1,162,000 for construction. Its capacity for transmission from the International boundary to Lockport is 60,000 horse power, and there is the same capacity from Lockport to Buffalo; from Lockport to Syracuse it has a capacity of 10,000 horse power, and a second line of greater capacity is under construction. It claims that its investment will amount, when its transmission lines are completed, to upwards of \$4,000,000 and certainly the expenditure will reach \$3,000,000.

The Electrical Development Company received a charter, 5 Edward VII, and was authorized to take 125,000 horse power or 8,000 cubic feet a second. The head works, wheel pit and tail race have been completed for eleven units of 12,500 horse power each. The power house has been completed for seven units, but the machinery installed and contracted for is only for four units. The completion of the four units will involve the expenditure of \$6,300,000 and it may be increased to eleven units, or 132,000 horse power by an expenditure of \$1,576,000. This company has erected a transmission plant to Toronto which will convey 20,000

horse power and that will involve an expenditure when completed of \$2,610,000. The demands for Canadian consumption which this company will satisfy are about 30,000 horse power. There is an electrical transmission company of American origin and charter affiliated with this company, which has expended about \$246,000 and has a relation to what is called the Nicholl syndicate, which owns interests in gas and power companies and in an electric railway company from Buffalo to Rochester, which is under construction. It has franchises in its own name in seven towns and cities, but the enterprise is largely inchoate and the investment is in prospect rather than actual.

The Canadian Niagara Power Company was organized in 1892 by the same persons who were interested in the Niagara Falls Power Company, the pioneer of electric power companies on the American side. It is not limited in the quantity of power which it is to use and its plans are subject to the approval of the Commissioners of the Queen's park. Plans have been approved for 120,000 horse power which means eleven units of 11,000 horse power with one of these as a "spare" which makes its normal capacity 110,000. Its head works, wheel pits and tail race tunnel are completed for the full development. Five units have already been installed and its power house and transformer have been completed for five units. It has cost \$5,550,000, and to make eleven units would cost \$1,250,000 more. It has an underground conduit connecting the Canadian plant with the American plant of the Niagara Falls Power Company, with a capacity of 128,000 horse power transmission, with cables in it of the capacity of 32,000. It has a separate transmission line sixteen miles along the Niagara river to Fort Erie with towers to carry the lines across the river, all of which transmission plant cost \$434,000. It sells in Canada 1,340 horse power with an option to purchasers to take 4,237 horse power.

From what has been said it will be seen that the Ontario Power Company has now invested or under contract \$6,500,000, which will produce 66,000 horse power; that it and its affiliated companies have expended \$1,000,000 for transmission in Canada and about \$3,000,000 for transmission in the United States.

That the Electrical Development Company has invested \$6,300,000, which will produce 50,000 horse power, and a transmission line in Canada of \$2,500,000 and perhaps \$300,000 in transmission lines in United States.

That the Canadian Niagara Power Company has invested \$5,350,000, which will produce 55,000 horse power, and \$500,000 in transmission lines in the United States.

Captain Kutz recommended the allowance to the Ontario Power Company of a permit for 66,000 horse power; to the Canadian Niagara Falls Power Company the same amount, 60,000 horse power; to the Electrical Development Company, 37,500.

I think the Ontario company is entitled to a larger allowance than the other two companies, because it generates 11,000 horse power more than the Canadian Niagara Falls Company, and 16,000 horse power more than the Electrical Development Company. It has invested \$200,000 more in its power plant than the Electrical Development Company and \$1,000,000 more than the Canadian Niagara Falls Company. It uses for the production of one unit of horse power, perhaps 15 per cent. less of water than the other two companies. But more than all, it has expended \$3,000,000 in a transmission line from the international boundary to Rochester, Syracuse, Lockport and Buffalo. This investment is almost wholly dependent for use and profit on the importation of electricity from Canada. Captain Kutz reports that 60,000 horse power will enable the company to secure a reasonable return on the transmission investment after paying a proper amount for the power at the boundary. This would leave to be divided between the other two companies 99,000 horse power, and objection is made to this discrimination against them in favor of the Ontario Power Company, because their plants are so arranged that by the expenditure of a million and a quarter the Niagara company could increase its output to 110,000 horse power, and by the expenditure of a million and a half the Development company could increase its output to 130,000 horse power, whereas the Ontario company must expend \$6,500,000 more to reach its full capacity of 180,000 horse power or about \$3,200,000 to reach a capacity of 130,000 horse power. While this circumstance is entitled to some weight against proportioning the allowance to the capital actually expended on the power plants or the horse power now produced from the present installations, still I think the considerations already suggested, especially the special expenditure for long distance transmission, really outweighs everything else in requiring that if possible a sufficient amount be allowed to pay a reasonable profit on that investment which is wholly dependent on transmission.

Coming now to the division between the Niagara Falls company and the Development company, the conclusion is not so easy. The Development company has invested about three-quarters of a million more on its power plant than the Niagara company, but under its present installation it cannot produce as much horse power by 5,000. It has expended \$2,500,000 to carry 20,000 horse power to Toronto and has contracts for 10,000 more. The Canadian business does not pay as well as the American business, especially that of the Niagara company, which is quite profitable under its existing contracts. Considering those contracts, it seems to me that with its slight cost of transmission and the advantageous situation that it enjoys in respect to its affiliated American company, an allowance of 52,500 horse power for the Niagara company will enable it to fulfill all its probable demands at a good profit. The works across the river produce 76,300 horse power, and adding 52,500 horse power makes 128,800 horse power. The American company now earns 9 per cent. on its stock of \$4,000,000 and interest on a bonded indebtedness of \$19,000,000. It has contracts requiring a maximum of 102,000 horse power, but the call on its capacity has never exceeded 85,000 horse power, because the calls do not coincide. On the capital invested there is no likelihood that the Niagara company will suffer a loss. It will not make as much as it would have made had it been allowed to transmit its full capacity after building the contemplated additions to its installation, but the act only intended to save the investors from loss on the plant actually invested, not to compensate them for prospective gain.

This leaves for the Electrical Development Company 46,000 horse power to transmit to the United States after producing 30,000 horse power and transmitting it to Toronto and elsewhere. This would justify the company in increasing the number of units in its installation if it could secure transmission to the United States. It is probable that the amount is not enough to justify the elaborate outlay required for transmission to American customers, and this reduces the value of the permit; but I cannot think it will not be able to arrange for the disposition of transmissible current at the boundary at such figures as to be profitable, even if the amount it makes per horse power be less than that which the two American companies realize, because of their greater facility for reaching customers, the one through the Roch-

ester transmission plant and the other through the American Niagara company's plant and good will. Under this arrangement and allotment the Canadian company becomes the only one which, assuming a demand for its American delivery, will be justified in increasing the capacity of its power plant by installing more units. The demand in Canada for the product of the Ontario and Niagara companies may grow some but not very much, so that they are likely to be confined to their present installation.

Before closing, I ought to notice a claim of the Niagara company that it has by its charter a preferential right over the other two companies, so that it ought to be allowed its full 110,000 horse power for transmission before the other two companies receive permits to transmit any current at all. The preference claimed is really only a priority in taking water from the river and cannot be reasonably extended to apply to rights to transmit current when there is no lack of water for all.

The Niagara Falls Power Company and its Canadian other self ask that the two permits to them shall contain a provision by which in case of a reduction of the amount of water diverted on the American side below the permitted limit, a corresponding increase beyond the limit permitted on the Canadian side may be authorized. This privilege must be denied. The American diversion and the Canadian transmission must be kept separate in the permits and should be absolute and not variable. It would form an uncomfortable precedent in other cases.

It has been asserted by persons who profess to have information that the three companies here seeking permits are looking forward to an amalgamation of interests or a combination for the purpose of keeping up the prices of electrical power by avoiding competition that will deny to the public the benefit it is entitled to enjoy from the natural water power that these companies use at comparatively small benefit to any one of the governments which authorize its use. This is denied by the applicants. Just what effect the existence of such a combination ought to have to require a revocation or modification of these permits is a matter of grave doubt, but should evidence in proper form of the existence of such a combination be brought to me as a ground for the modification of the action now taken, it will be given a careful consideration.

The order for permits will, therefore, be for

The International Ry. Co.	1,500
The Ontario Power Co.	60,000
The Canadian Niagara Falls Power Co.	52,500
The Electrical Development Co.	46,000

The chief of engineers and Captain Kutz will prepare the permits after consultation with counsel for the respective companies. An order should also be entered detailing Captain Kutz to report a plan for the supervision of the operation of these companies under the permits, with a view to secure strict compliance with their terms.

WM. H. TAFT,
Secretary of War.

January 18, 1907.



APPENDIX "L."

STATUTES.

APPENDIX "L."

STATUTES.

THE TRANSPORTATION CORPORATIONS LAW. LAWS 1890, CHAPTER 566.

AN ACT in relation to transportation corporations, excepting
railroads, constituting chapter forty of the general laws.

ARTICLE VI.

GAS AND ELECTRIC LIGHT CORPORATIONS.

Section 60. Incorporation.

61. Powers.
62. Inspectors of gas meters.
63. Deputy inspectors.
64. Inspection of gas meters.
65. Gas or electric light must be supplied on application.
66. Deposit of money may be required.
67. Entry of buildings to meters or lights.
68. Refusal or neglect to pay rent.
69. No rent for meters to be charged.
70. Price of gas.

Section 60. Incorporation.— Three or more persons may become a corporation for manufacturing and supplying gas for lighting the streets and public and private buildings of cities, villages and towns in this state, or for manufacturing and using electricity for producing light, heat or power, and in lighting streets, avenues, public parks and places, and public and private buildings of cities, villages and towns within this state, or for two or more of such purposes, by making, signing, acknowledging and filing a certificate stating the name of the corporation, its objects, the amount of its capital stock, the term of its existence not to exceed fifty years, the number of shares of which the stock shall consist, the number of directors not less than three nor more than thirteen, the names and places of residence of the directors

for the first year, and the names of the towns, villages, cities and counties in which the operations of the corporation are to be carried on, and thereupon the persons who shall have signed the same, their associates and successors shall be a corporation by the name stated in the certificate. (*As amended by L. 1900, ch. 575.*)

§ 61. Powers.— Every such corporation shall have the following additional powers.

1. If incorporated for the purpose of supplying gas for light, to manufacture gas, and to acquire by purchase or otherwise natural gas and to sell and furnish such quantities of gas as may be required in each city, town and village named in its certificate of incorporation, for lighting the streets, and public or private buildings or for other purposes; and to lay conductors for conducting gas through the streets, lanes, alleys, squares and highways, in each such city, village and town, with the consent of the municipal authorities thereof, and under such reasonable regulations as they may prescribe; and such municipal authorities shall have power to exempt any such corporation from taxation on their personal property for a period not exceeding three years from the organization of the corporation. Any corporation authorized under any general or special law of this state to manufacture and supply gas shall have the like powers and privileges. (*As amended by L. 1900, ch. 575, and by L. 1902, ch. 596.*)

2. If incorporated for the purpose of using electricity for light, heat or power, to carry on the business of lighting by electricity or using it for heat or power in cities, towns and villages within this state, and the streets, avenues, public parks and places thereof, and public and private buildings therein; and for the purposes of such business to generate and supply electricity; and to make, sell or lease all machines, instruments, apparatus, and other equipments therefor, and to lay, erect and construct suitable wires, or other conductors, with the necessary poles, pipes or other fixtures in, on, over and under the streets, avenues, public parks and places of such cities, towns or villages, for conducting and distributing electricity, with the consent of the municipal authorities thereof, and in such manner and under such reasonable regulations, as they may prescribe.

3. Any two or more corporations organized under this article or under any general or special law of the state for the purpose

of carrying on any business which a corporation organized under this article might carry on, may consolidate such corporations into a single corporation by complying with the provisions of the business corporations law relating to the consolidation of business corporations.

4. Any corporation organized under this article or under any general or special law of this state for the purpose of using electricity for light, heat or power in cities, other than of the first class, towns or villages within this state, may have and acquire the following additional powers, to wit: The power of supplying steam to consumers from a central station or stations through pipes laid in the public streets of the cities, towns and villages within this state, and for that purpose to lay, construct and maintain suitable pipes and conduits or other fixtures in, on and under the streets, avenues, public parks and places of such cities, towns or villages, with the consent of the municipal authorities thereof, and under such reasonable regulations as they may prescribe. For the purpose of acquiring the powers above specified any such corporation may make, sign, acknowledge and file in the same manner as an original or amended certificate of incorporation, a certificate stating that such corporation desires and intends to exercise the powers hereinabove specified. Upon the making, signing, acknowledging and filing such certificate, such corporation shall have and acquire for the purposes specified in such certificate all the rights, privileges and powers and be subject to all the restrictions of direct steam corporations, specified in sections thirteen, fourteen and fifteen of the business corporation law, being chapter six hundred and ninety-one of the laws of eighteen hundred and ninety-two. (*Added by L. 1899, ch. 565.*)

§ 62. Inspector of gas meters.—The governor shall nominate and by and with the consent of the senate appoint an inspector of gas meters, who shall have an office in the city of New York, whose duty it shall be, when required, to inspect, examine, prove and ascertain the accuracy of any and all gas meters used or intended to be used for measuring or ascertaining the quantity of illuminating or fuel gas furnished by any gas corporation in this state including a corporation engaged in supplying natural gas to consumers, to or for the use of any person or persons, and, when found to be or made correct, to seal, stamp or mark all such meters, and each of them, with some suitable device, which device shall be recorded in the office of the secretary of state. Such inspector shall hold his office for the term of five years and

until the appointment of his successor, but may be removed by the governor for sufficient cause. He shall receive an annual salary of five thousand dollars, to be paid in the first instance out of the state treasury on the warrant of the comptroller, which shall be charged to and paid into the state treasury by the several gas corporations in this state, in amounts proportionate to the amount of the capital stock of such corporations respectively, to be ascertained and assessed by the comptroller of the state. If any such corporation shall refuse or neglect to pay into the state treasury the amount or portion of such salary required of them respectively, for the space of thirty days after written notice given it by the comptroller to make such payment, then the comptroller may maintain an action, in his name of office, against any such delinquent corporation for its portion or amount of such salary, with interest thereon at the rate of ten per centum per annum from the time such notice was given and the cost of the action. (*As amended by L. 1893, ch. 385, L. 1895, ch. 972, L. 1897, ch. 486, and L. 1898, ch. 364.*)

§ 63. Deputy inspectors, employment of mechanics and expenditures.—The inspector of gas meters shall appoint four deputy inspectors of gas meters to reside in the borough of Brooklyn, in the city of New York, Albany, Buffalo and Jamestown, respectively, to hold office during his pleasure, and who shall in their respective places of residence discharge such duties as are required of them by the inspector. Said inspector is hereby authorized to employ not exceeding ten mechanics to assist him and his deputies in his and their work, said mechanics to be paid a sum not exceeding three and one-half dollars for each working day. Such deputies shall receive an annual salary of fifteen hundred dollars and such deputies and mechanics shall be paid in the same manner as the salary of the inspector. Said inspector is hereby authorized to incur such office and other expenditures as are necessary for the performance of his duties imposed by law and for the purpose of providing the seals to be affixed upon meters as required by law; and the said office and other expenditures, as herein authorized excepting the salaries of deputy inspectors and pay for mechanics shall be subject to the audit and approval of the comptroller and shall not exceed the sum of two thousand dollars per annum, and be paid in the same manner as the salary of the inspector. (*Amended by L. 1893, ch. 385, L. 1898, ch. 364, L. 1899, ch. 732.*)

§ 64. Inspection of gas meters.— No corporation or person shall furnish or put in use any gas meter, which shall not have been inspected, proved and sealed by the inspector except during such time as the office of inspector may be vacant, or such inspector after request made, shall refuse or neglect to prove and seal the meters furnished for that purpose, and every gas light corporation shall provide and keep in and upon their premises a suitable and proper apparatus, to be approved and sealed by the inspector of meters, for testing and proving the accuracy of the gas meters furnished for use by it, and by which apparatus every meter may and shall be tested, on the written request of the consumer, to whom the same shall be furnished, and in his presence if he desire it. If any such meter, on being so tested, shall be found defective or incorrect to the prejudice or injury of the consumer, the necessary removal, inspection, correction and replacing of such meter shall be without expense to the consumer, but in all other cases he shall pay the reasonable expenses of such removal, inspection and replacing; and in case any consumer shall not be satisfied with such inspection of the meter furnished to him, and shall give to the corporation written notice to that effect, he may have such meter reinspected by the state inspector, if he require it, upon the same terms and conditions as herein provided for the original inspection thereof.

§ 65. Gas and electric light must be supplied on application.— Upon the application, in writing, of the owner or occupant of any building or premises within one hundred feet of any main laid down by any gas light corporation, or the wires of any electric light corporation, and payment by him of all money due from him to the corporation, the corporation shall supply gas or electric light as may be required for lighting such building or premises, notwithstanding there be rent or compensation in arrear, for gas or electric light supplied, or for meter, wire, pipe or fittings, furnished to a former occupant thereof, unless such owner or occupant shall have undertaken or agreed with the former occupant to pay or to exonerate him from the payment of such arrears, and shall refuse or neglect to pay the same; and if for the space of ten days after such application and the deposit of a reasonable sum as provided in the next section, if required, the corporation shall refuse or neglect to supply gas or electric light as required, such corporation shall forfeit and pay to the applicant the sum of ten dollars, and the further sum

of five dollars for every day thereafter during which such refusal or neglect shall continue; provided that no such corporation shall be required to lay service pipes or wires for the purpose of supplying gas or electric light to any applicant where the ground in which such pipe or wire is required to be laid shall be frozen, or shall otherwise present serious obstacles to laying the same; nor unless the applicant, if required, shall deposit in advance with the corporation a sum of money sufficient to pay the cost of his portion of the pipe or wire required to be laid, and the expense of laying such portion.

§ 66. Deposit of money may be required.— Every gas light and electric light corporation may require every person to which such corporation shall supply gas or electric light for lighting any building, room or premises to deposit with such corporation a reasonable sum of money according to the number and size of lights used or required, or proposed to be used for two calendar months, by such person, and the quantity of gas and electric light necessary to supply the same as security for the payment of the gas and electric light rent or compensation for gas consumed, or rent of pipe or wire and fixtures, to become due to the corporation, but every corporation shall allow and pay to every such depositor legal interest on the sum deposited for the time his deposit shall remain with the corporation.

§ 67. Buildings may be entered for the examination of meters, lights, etc.—Any officer or other agent of any gas light or electric light corporation, for that purpose duly appointed and authorized by the corporation, may, at all reasonable times, upon exhibiting a written authority, signed by the president and secretary of the corporation, enter any dwelling, store, building, room or place lighted with gas or electric light supplied by such corporation, for the purpose of inspecting and examining the meters, pipes, fittings, wires and works for supplying or regulating the supply of gas or electric light and of ascertaining the quantity of gas or electric light consumed or supplied, and if any person shall, at any time, directly or indirectly, prevent or hinder any such officer or agent from so entering any such premises, or from making such inspection or examination at any reasonable time, he shall, for every such offense, forfeit to the corporation twenty-five dollars.

§ 68. Refusal or neglect to pay rent.— If any person supplied with gas or electric light by any such corporation shall neglect

or refuse to pay the rent or remuneration due for the same, or for the wires, pipes or fittings let by the corporation for supplying or using such gas or electric light or for ascertaining the quantity consumed or used as required by his contract with the corporation, or shall refuse or neglect, after being required so to do, to make the deposit required, such corporation may prevent the gas or electric light from entering the premises of such person; and their officers, agents or workmen may enter into or upon any such premises between the hours of eight o'clock in the forenoon and six o'clock in the afternoon, and separate and carry away any meter, pipe, fittings, wires or other property of the corporation and may disconnect any meter, pipe, fittings, wires or other works whether the property of the corporation or not, from the mains, pipes or wires of the corporation.

§ 69. No rent for meters to be charged.— No gas light corporation in this state, shall charge or collect rent on its gas meters, either in a direct or indirect manner, and any person, party or corporation violating this provision shall be liable to a penalty of fifty dollars for each offense, to be sued for and recovered in the corporate name of the city or village where the violation occurs, in any court having jurisdiction, and when collected to be paid into the treasury of such city or village and to constitute a part of the contingent or general fund thereof.

§ 70. Price of gas.— In any city in this state having a population of eight hundred thousand or over, no corporation or person shall charge for illuminating gas a sum to exceed one dollar and twenty-five cents per thousand feet, and such gas shall have an illuminating power of not less than twenty sperm candles, of six to the pound, and burning at the rate of one hundred and twenty grains of spermaceti per hour, tested at a distance of not less than one mile from the place of manufacture, by a burner consuming five cubic feet of gas per hour, and shall comply with the standard of purity now or hereafter established by law; but in any district or ward of any city containing over one million inhabitants, which district or ward is separated from the main portion thereof by a stream or other natural boundary, any gas light corporation may charge a price not to exceed one dollar and sixty cents per thousand cubic feet, but such corporation shall not charge a greater price in the city where its main works shall be situated than in such district or ward.

THE BUSINESS CORPORATIONS LAW.

LAWS 1890, CHAPTER 567.

AN ACT in relation to business corporations, constituting chapter fifty-one of the general laws.

Section 8. Consolidation of corporations.—Any two or more corporations organized under the laws of this state for the purpose of carrying on any kind of business of the same or of a similar nature, which a corporation organized under this chapter might carry on, may consolidate such corporations into a single corporation, as follows: The respective corporations may enter into and make an agreement signed by a majority of their respective boards of directors and under their respective corporate seals, for the consolidation of such corporations, prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number of directors who shall manage its affairs, not less than three, the names and postoffice addresses of the directors for the first year, the terms of its existence, not exceeding fifty years, the name of the town or towns, county or counties, in which its operations are to be carried on, the name of the town or city and county in this state in which its principal place of business is to be situated, the amount of its capital stock, which shall not be larger in amount than the fair aggregate value of the property, franchises and rights of such corporations, and the number of shares into which the same is to be divided, the manner of distributing such capital stock among the holders thereof, and if such corporations or either of them, shall have been organized for the purpose of carrying on any part of its business in any place out of this state, the agreement shall so state, with such other particulars as they may deem necessary. (*As amended by L. 1892, ch. 691, L. 1895, ch. 671, and L. 1901, ch. 520.*)

§ 9. Submission of consolidation agreement to stockholders.—Such agreement shall be submitted to the stockholders of each of such corporations, at a meeting thereof to be called upon notice of at least two weeks, specifying the time, place and object thereof, and addressed to each at his last known postoffice address, and deposited in the postoffice, postage prepaid, and published for at least two successive weeks in one of the newspapers in each of the counties of this state in which either of such corporations shall have its place of business, and if such agreement

shall be approved at each of such meetings of the respective stockholders separately, by the vote by ballot of the stockholders owning at least two-thirds of the stock, the same shall be the agreement of such corporations, and a sworn copy of the proceedings of such meetings, made by the secretaries thereof, respectively, and attached thereto, shall be presumptive evidence of the holding and action of such meetings. Such agreement and verified copy of proceedings of such meetings shall be made in duplicate, one of which shall be filed in the office of the secretary of state, and the other in the office of the clerk of the county where the principal business office of the new corporation is to be situated in this state, and thereupon such corporation shall be merged into the new corporation specified in such agreements, to be known by the corporate name therein mentioned, and the provisions of such agreement shall be carried into effect as therein provided. If any stockholder, not voting in favor of such agreement to consolidate, shall at such meeting, or within twenty days thereafter, object to such consolidation and demand payment for his stock, such stockholder or such new corporation, if the consolidation takes effect at any time thereafter, may at any time within sixty days after such meeting apply to the supreme court at any special term thereof held in the district in which any county is situated in which such new corporation may have its place of business, upon at least eight days' notice to the new corporation, for the appointment of three persons to appraise the value of such stock and the court shall appoint three such appraisers and designate the time and place of their first meeting, with such directions in regard to their proceedings, as shall be deemed proper, and also direct the manner in which payment for such stock shall be made to such stockholder. The court may fill any vacancy in the board of appraisers occurring by refusal or neglect to serve or otherwise. The appraisers shall meet at the time and place designated, and they or any two of them, after being duly sworn honestly and faithfully to discharge their duties, shall estimate and certify the value of such stock at the time of such dissent, and deliver one copy to such new corporation, and another to such stockholder if demanded; the charges and expenses of the appraisers shall be paid by the new corporation. When the new corporation shall have paid the amount of such appraisal, as directed by the court, such stockholder shall cease to have any interest in such stock and in the corporate property of such corporation, and such stock may be held or disposed of by such new corporation. Where any

consolidation has been heretofore or shall be hereafter effected pursuant to the laws of this state, and the holders of ninety per centum of the capital stock of each of such corporations have voted in favor of such agreement to consolidate, if any stockholder not voting in favor of such consolidation shall fail to exchange his stock for stock of such new corporation within sixty days after this act shall go into effect, or, in case of a consolidation hereafter effected, within sixty days after he shall have become entitled to make such exchange, such new corporation may, at any time thereafter, upon at least eight days' notice to such stockholder, to be given personally, within the state, if possible, and if not, then in such manner as the court shall direct, apply to the court, as hereinbefore provided, for the appointment of three persons to appraise the value of such stock at the time of the expiration of such sixty days. Upon the completion of the appraisal in the manner hereinbefore provided for, and the payment by such new corporation of the amount of such appraisal, as directed by the court, such stockholder shall cease to have any interest in such stock, and in the corporate property of such corporation, and such stock may be held or disposed of by such new corporation. (*Amended by L. 1892, ch. 691, and L. 1902, ch. 438.*)

§ 10. Powers of consolidated corporations.—Such new corporation in addition to the general powers of corporations shall enjoy the rights, franchises and privileges possessed by each of the corporations so consolidated, subject to the restrictions, liabilities, duties and provisions contained in this chapter so far as the same may be applicable to the purposes for which it shall have been organized and expressed in the agreement for consolidation, and may prosecute or carry on any kind of business which each of the consolidating corporations was authorized by law to conduct.

§ 11. Transfer of property of old corporations to consolidated corporation. —Upon the consummation of such act of consolidation, all the rights, privileges, franchises and interests of each of the corporations, parties to the same, and all the property, real, personal and mixed, and all the debts due on whatever account to either of them, as well as all stock subscriptions and other things in action belonging to either of them, shall be taken and deemed to be transferred to and vested in such new corporation, without further act or deed; and all claims, demands, property and every other interest shall be as effectually the property

of the new corporation as they were of the former corporations, parties to such agreement and act; and the title to all real estate, taken by deed or otherwise, under the laws of this state, vested in either of such corporations, parties to such agreement and act, shall not be deemed to revert or be in any way impaired by reason of this act, or anything done by virtue thereof, but shall be vested in the new corporation by virtue of such act of consolidation; and all the rights, privileges, franchises and property of the corporations, parties to any consolidation heretofore made under this act, shall vest as fully in the new corporation thereby created as they were vested in the corporations, parties to such consolidations. (*As amended by L. 1892, ch. 691, and L. 1902, ch. 457.*)

§ 12. Rights of creditors of old corporations.—The rights of creditors of any corporation that shall so be consolidated shall not in any manner be impaired, nor any liability or obligation for the payment of any money due or to become due to any person or persons, or any claim or demand for any cause existing against any such corporation or against any stockholder thereof be released or impaired by any such consolidation; but such new corporation shall succeed to and be held liable to pay and discharge all such debts and liabilities of each of the corporations consolidated in the same manner as if such new corporation had itself incurred the obligation or liability to pay such debt or damages and the stockholders of the respective corporations consolidated shall continue, subject to all the liabilities, claims and demands existing against them as such, at or before the consolidation; and no action or proceeding then pending before any court or tribunal in which any corporation that may be so consolidated is a party, or in which any such stockholder is a party, shall abate or be discontinued by reason of such consolidation, but may be prosecuted to final judgment, as though no consolidation had been entered into; or such new corporation may be substituted as a party in place of any corporation so consolidated, by order of the court in which such action or proceeding may be pending.

NATURAL GAS COMPANIES.

LAWS 1889, CHAPTER 422.

AN ACT to provide for the organization and regulation of natural gas companies, being "An act supplemental to chapter six hundred and eleven of the laws of eighteen hundred and seventy-five, entitled 'An act to provide for the organization and regulation of certain business corporations.'"

§ 1. Acquisition of lands by natural gas company.— It shall be lawful for any corporation organized under chapter six hundred and eleven of the laws of eighteen hundred and seventy-five, and acts amendatory thereto, for the purpose of boring, drilling, digging or mining for natural gas, and conveying and distributing the same in pipes, and vending said gas to the consumers thereof; to purchase, lease, secure and convey such real estate, and such only as may be necessary for the convenient transaction of their business; and to effectually carry on the operations of such corporation.

§ 2. Pipes in streets, authorized.— Such corporation is authorized to dig and trench for, and lay their pipes along or under any of the public roads or highways, or through or under any of the waters within the limits of this state: Provided the same shall not be so done as to incommode the public use of said highways, or interrupt the navigation of said waters. Provided, however, that no pipe line for the purpose aforesaid shall be constructed across, along, or upon any public highway, without the consent of the commissioners of highways of the town in which such highway is located, upon such terms as may be agreed upon with such commissioners; or upon the order of the general term of the supreme court of the department in which such highways are situated, made upon petition, and notice to the commissioners of highways of such town, according to the practice, or order of the court, or an order to show cause; and in such manner, and upon such terms as shall be ordered by the court.

§ 3. Consents necessary.— No pipe line shall be constructed into or through any incorporated city or village in this state, unless the same be sanctioned by a majority of the common council of such city, or trustees of such village, by resolution adopted at a regular meeting of such common council, or board of trustees, which resolution shall prescribe the terms upon which consent is granted. Nothing in this or the preceding section shall be

construed or held to confer any other right than the relinquishment of the public rights and the consent of the people to the construction of such pipe line, and shall not affect any private right.

§ 4. Right to enter upon lands.—When any corporation formed as aforesaid has fully completed its organization, the said corporation, its agents or employees shall be authorized to enter upon any lands for the purpose of making surveys, and to agree with the owner of the property as to the amount of compensation to be paid such owner for the right of laying and maintaining pipes for conveying natural gas on or beneath the surface of said lands.

§ 5. Survey and map.—Before entering upon or using any lands for the purpose of conveying natural gas as aforesaid, the said corporation shall cause a survey and map to be made, of the proposed route of said pipe line, by, and on which the lands of each owner and occupant through which the same may run shall be designated, which map shall be signed by the president of said corporation and its secretary; and be filed in the office of the county clerk of the county in which the lands are situated; and the said corporation, by any of its officers, agents and servants, may enter upon any lands for the purpose of making such survey and map.

§ 6. Acquisition of title to lands by condemnation.—In all cases where the said corporation shall be unable to agree with the person owning, or having an interest in any lands, for the right to lay gas pipes through the same, the supreme court, at any special term thereof, held in the judicial district in which lands are situated, shall, on application of the said corporation, after ten days written notice, personally served on such person, or where such notice cannot be personally served within this state, or such person shall be incapacitated from receiving personal notice, then by service in such manner as the court shall direct, appoint three disinterested citizens of the county in which such lands are situated, who shall be freeholders, as commissioners, to determine the damage sustained by each of said persons, by reason of the use of his or her lands, for the purpose above recited. Such commissioners shall take the oath required by the constitution of public officers, and shall personally examine each parcel of land proposed to be used, and shall estimate and report to said court at any term thereof held in said judicial

district, on ten days' notice served as aforesaid, on the parties in interest, the several sums which they shall decide to be just compensation to such owners, or person interested, for the use of such property as aforesaid. Such commissioners may examine witnesses upon hearing before them, and shall have power to administer oaths to such witnesses, and all the evidence they shall take shall accompany their report to the court. On the presentation of such report the said court may confirm or amend, or appoint new commissioners, who shall proceed in like manner as the first commissioners, and whose reports, subject to amendment as aforesaid, shall be final, and shall be confirmed by said court. Said commissioners shall receive from the said corporation the sum of three dollars per day each, for the time employed by them in the performance of their duties, together with the amount which they shall certify, on their oaths as correct, in their said report, for incidental expenses connected with their work, including the preparation of said report.

§ 7. Compensation must be first paid.—Whenever any report of such commissioners shall have been confirmed by the said supreme court, the said corporation may deposit, as the court directs, or pay to the said owners or persons, as the court directs, the sum mentioned in said report, in full compensation for the right or easement so required and thereupon the said corporation shall be seized of said easement and discharged from all claim by reason of such appropriation and use.

ELECTRIC CORPORATIONS.

LAWS 1896, CHAPTER 446.

AN ACT to authorize electric light companies in towns or villages of this state to acquire real estate.

§ 1. Acquisition of realty by electric light company in town or village.—Any electric light company in any town or village in this state having a contract with any town or incorporated village for the lighting of streets, parks, squares or public buildings in any town or village, shall have the right and is hereby vested with the power and authority to acquire such real estate as may be necessary for the purposes of its incorporation, or acquire the right of way through any property in the same manner as is now vested by law in waterworks companies. Such real estate or right of way to be acquired in the manner and form prescribed by the general condemnation law of this state.

LAWS 1886, CHAPTER 40.

AN ACT relating to telegraph, telephone, electric light and other wires and cables.

§ 1. No prescription from attachment of wire to real property.—Whenever any wire or cable used for any telegraph, telephone, electric light or other electric purpose, or for the purpose of communication otherwise than by the aid of electricity, is or shall be attached to, or does or shall extend upon or over any building or land, no lapse of time whatever shall raise a presumption of any grant of, or justify a prescription of any perpetual right, to such attachment or extension.

THE RAILROAD LAW.

LAWS 1890, CHAPTER 565.

AN ACT in relation to railroads, constituting chapter thirty-nine of the general laws.

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§ 21. Powers of electric light and power corporations.—Whenever all of the stockholders of any domestic electric light and power company, incorporated under a general or special law, having not less than five stockholders, and actually engaged in carrying on business in this state, shall execute and file, in the offices in which its original certificates of incorporation are filed, an amended certificate of incorporation, complying in every other respect than as to the number of signers and directors, who shall not be less than five, with the provisions of the railroad law, and in which certificate the corporate name of such corporation shall be amended by adding before the word "company," in its corporate name, the words, "and railroad," or the words, "railroad and land," such corporation shall have the right to build, maintain and operate by electricity as a motive power, a railroad or railroads, not exceeding twenty-five miles in length, and within that distance from the power station, and shall also have the right to acquire the property and franchises of a railroad company or companies owning such a railroad or railroads, already constructed, and so operated, and to maintain and operate the same, provided that the directors of such railroad company or companies and all of its or their stockholders shall first have assented in writing to the transfer of the prop-

erty and franchises of such railroad company or companies, to such corporation; in which event and by the filing of such assent of directors and stockholders in the offices where the certificates of incorporation of the railroad company or companies were required to be filed, the rights, property and franchises of such railroad company or companies shall be transferred to, and shall vest in such corporation, and such corporation so acquiring such railroad or railroads shall be subject to all the provisions of chapter thirty-nine of the general laws with respect to the railroad property or properties and franchises, and shall have all the powers, rights and privileges conferred by said chapter upon railroad corporations; provided that no such corporation shall construct any railroad which is in whole or in part a street surface railroad without complying with the provisions of article four of the railroad law. Upon filing such certificate, such corporation shall also have the right to acquire by gift or by voluntary purchase and sale land not exceeding two thousand acres along the line of, or contiguous to, said railroad, and to hold, improve, lease or sell same. Whenever any such corporation shall furnish power to any water-works corporation carrying on its business in the county, or in a county adjoining that in which the operations of such corporation are carried on, it may acquire the shares of the capital stock of said water-works corporation, and, if such corporation shall become the owner of all the stock of said water-works corporation, it may, on executing and filing a certificate in accordance with the requirements of section fifty-eight of the stock corporations law, become possessed of all the estate, rights, property, privileges and franchises of such water-works corporation, with the effect provided in said section fifty-eight. This section shall not confer any powers upon any corporation located in, or authorize the construction, maintenance or operation of a railroad in a city of the first or second class, except in that part of any city of the first class which is or may be situate in a county of less than one hundred thousand inhabitants, according to the last preceding enumeration for the national census. (*As amended by ch. 731, L. 1901.*)

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THE GENERAL CITY LAW.

LAWS 1900, CHAPTER 327.

AN ACT in relation to cities, constituting chapter twenty-two of the general laws.

Section 130. Contracts with corporations for supply of gas.—The municipal officers authorized by law to contract in behalf of any city of the first class, for the lighting of its streets may, from time to time, in the manner, upon the terms and with the conditions hereinafter provided, contract in behalf of such city with any corporation or corporations then supplying gas therein for a supply of gas to such city, for and during such specified period not exceeding fifteen years as shall by such municipal officers be deemed to be for the best interests of such city and of the inhabitants thereof.

§ 131. Letting of contract to be public.—Every such contract shall be let at public letting as required by law, and as a consideration for the execution and performance thereof shall expressly provide for and secure to such city, prices lower than are now prescribed therein by law, and a progressive reduction in such price for each year during the continued performance of such contract and also adequate assurance of the continuing mutual performance of such contract according to the conditions thereof, with proper indemnity to either party to such contract against any possible violation, impairment, abrogation or suppression thereof, within the term specified.

§ 132. Contract to provide for reductions of price.—Every such contract shall also provide and require that during the term therein specified the corporation party thereto may and shall supply gas to the inhabitants of such city at prices lower than those now or then charged therein by such corporation party thereto and progressively lower for each year of such term; any company or corporation bidding for such contract shall specify such several prices and reductions of price for the several classes and terms of gas supply, and the same shall be considered in the award of any such contract to the bidders or bidder therefor, and the corporation receiving any such contract shall be entitled to charge and collect the prices therein specified during the continuance thereof. Nothing in this acticle contained is intended or shall be construed to affect or impair any existing right or contract except with the consent of the parties to any such contract.

SECOND CLASS CITIES LAW.

LAWS 1906, CHAPTER 473.

AN ACT to provide for the government of cities of the second class.

Section 37. Disposition of real estate; franchises.—No ordinance shall be passed making or authorizing a sale or lease of city real estate or of any franchise belonging to or under the control of the city except by vote of three-fourths of all the members of the common council. In case of a proposed sale or lease of real estate or of a franchise, the ordinance must provide for a disposition of the same at public auction to the highest bidder, under proper regulations as to the giving of security and after public notice to be published once each week for three weeks in the official paper or papers. A sale or lease of real estate or a franchise shall not be valid or take effect unless made as aforesaid and subsequently approved by a resolution of the board of estimate and apportionment. No franchise shall be granted or be operated for a period longer than fifty years. The common council may, however, grant to the owner or lessees of an existing franchise, under which operations are being actually carried on, such additional rights or extensions in the street or streets in which the said franchise exists, upon such terms as the interests of the city may require, with or without an advertisement, as the common council may determine; provided, however, that no such grant shall be operative unless approved by the board of estimate and apportionment, and also by the mayor.

§ 91. Powers and duties of commissioner.—The commissioner, subject to the provisions of law and ordinances of the common council, has cognizance, direction and control of the construction, maintenance, alteration, repair, care, cleaning, paving, flagging, lighting and improving of the streets, highways, sidewalks and public places of the city; of the construction, alteration and repair of all city buildings and of all docks and bridges belonging to the city; of all public sewers and drains in the city; of the construction, maintenance, extension, repair and care of the city water works; of the care, superintendence and management and improvement of all parks and grounds, public baths and recreation piers belonging to the city. Except as otherwise provided by law, the commissioner shall have supervision of, control over and jurisdiction and authority to make all ordinary repairs or improvements

upon the streets, parks, sidewalks, crosswalks, gutters, vaults, drains, culverts, bridges and public ways and places of the city, including the cleaning of the same, and may employ such laborers and teams and incur such expenditures as may be necessary within the limits of the appropriations made therefor. It shall be his duty to inspect the same with sufficient frequency to ascertain their condition and cause the same to be kept free from obstructions and in good condition and repair and reasonably safe for public use. The commissioner shall also have general supervision and control of all work performed under any contract of the city for local or other improvements to be performed within or upon any of the public streets, parks, ways or places, or with reference to the public works and ways within the jurisdiction of his department, including the lighting, sprinkling, watering, or flushing of the streets or public places, and shall cause the same to be performed in full compliance with the provisions of any contract therefor. Except as otherwise provided by law or ordinance of the common council, the commissioner of public works, has, over the streets and public places within the city, all the jurisdiction and is charged with all the duties of commissioners of highways within the towns of the state.

§ 122. Contracts for lighting.—All municipal lighting shall be supplied pursuant to contract therefor, awarded by the board of contract and supply as herein provided. Such contract shall cover and include the lighting and supplying of the lamps and the oil, gas, electric current, the cleaning, repair and renewal of the lamps and all the materials required in the use and care thereof. No bid or proposal for any such contract shall be received, nor contract awarded therefor, unless the bidder shall, prior to the making of such bid or proposal, have a franchise under the authority of which the proposed contract can be performed. No contract shall be advertised for or entered into for a period exceeding five years. Each bidder shall be required to furnish with each bid or proposal a certified check, payable to the order of the city treasurer, in such sum as the board of contract and supplies* shall prescribe, but not less than ten thousand dollars. Such sum shall be forfeited to and become the absolute property of the city in case the bidder depositing the same shall be awarded the contract and shall not execute the same and furnish a bond for the faithful performance of such contract, in the penal sum of not less than fifty thousand dollars, within thirty days after the

* So in original.

award of such contract. Such certified check shall be returned to the bidder if the contract be not awarded to him, or, if awarded, he shall have executed and furnished the contract and required bond.

§ 231. When to take effect.— This act shall take effect on the first day of January, nineteen hundred and eight, except that in a city which became a city of the second class under the state enumeration had in nineteen hundred and five, the elective officers provided in this act or otherwise by law for such city shall be elected at the city election to be held on the Tuesday succeeding the first Monday in November, nineteen hundred and seven.

THE VILLAGE LAW.

LAWS 1897, CHAPTER 414.

AN ACT in relation to villages, constituting chapter twenty-one of the general laws.

§ 59. Submission of propositions; special election.— The board of trustees may, upon its own motion, and shall, upon the petition of twenty-five electors, qualified to vote upon a proposition, cause to be submitted at a village election, a proposition upon any question which may be lawfully decided thereat. A separate board of fire, water, light, sewer, cemetery or other commissioners may present to the board of trustees a petition, requesting the submission of a specified proposition, relating to its department, at a village election. Upon the presentation of such petition, the board of trustees shall cause the proposition to be submitted accordingly. If a petition under this section be presented after the annual election and before the first day of January following, a special election shall be called, to be held not less than ten nor more than twenty days after the presentation of such petition. If a petition be presented at any other time, and more than ten days prior to the annual election, the proposition shall be submitted at such annual election. Except for the purpose of fixing or changing the number of trustees, or for the purpose of determining whether an officer shall be thereafter elected or appointed, no special election shall be held in the months of February or March. The foregoing provisions in this section contained in respect to the time of presentation of a petition under this section and prohibiting a special election in February or March, shall not apply to villages which

hold their annual election in June, but in such a village the board of trustees may upon its own motion, submit a proposition at a special village election in April, and if such a petition be presented after the annual election, and before the first day of April following, a special election shall be called in the manner hereinbefore provided; but if a petition be presented at any other time and more than ten days prior to the annual election, the proposition shall be submitted at such annual election. Except for the purpose of fixing or changing the number of trustees, or for the purpose of determining whether an officer shall be thereafter elected or appointed, no special election shall be held in such a village in the month of May or June. Notice of a special election for the submission of a proposition shall be given in the same manner as for an annual election. Such special election shall be held by the same officers, and conducted and the result canvassed in the same manner as an annual election. (*As amended by L. 1906, ch. 57.*)

§ 82-a. Franchises; filing; duty of clerk.— Duplicate originals of every resolution, certificate or other instrument whereby a village, or any board or officer thereof, grants a franchise, including a privilege or consent of any kind, to a public service corporation shall be executed and deposited with the village clerk; and such franchise shall not be operative for any purpose until so executed and deposited. The village clerk, upon receiving the same, shall file one such duplicate in his office with the records and papers of the village and shall immediately cause the other to be filed in the office of the clerk of the county in which the village is situated. (*Added by L. 1906, ch. 397.*)

§ 89. Subd. 9. Poles and wires; granting franchises.— To regulate the erection of telegraph, telephone or electric-light poles, or the stringing of wires in, over or upon the streets or public grounds, or upon, over or in front of any building or buildings; but after this section takes effect no franchise, or right, to erect or construct any line of poles or wires to furnish light or power within such village or to build, construct, erect or maintain any additional line of sewer, water or gas pipes, over, along, across, or under any of the streets, avenues, lanes or public grounds of such village shall be granted to any individual, firm, association, copartnership or corporation when such village owns and uses an electric-light plant or water-works; until the question of granting such right or franchise shall have been duly submitted to the qualified electors of such village, at an annual election, or at a

special election duly called and held for that purpose, and adopted by a majority of the votes of duly qualified voters cast at such election. (*Amended by L. 1906, ch. 577.*)

§ 240. Contracts for lighting.—The board of light commissioners may contract, in the name of the village, with an individual or corporation, for lighting the streets, public grounds and public buildings of the village by gas, electricity or other substance; but such contract shall not be made for a longer period than five years, nor at an expense for each fiscal year exceeding two and a half mills on every dollar of taxable property of the village as appears on the last preceding village assessment-roll, unless authorized at a village election. The amount of such contract shall be paid in annual installments, commencing with the date of the contract.

§ 241. Election for lighting system.—A proposition may be submitted at a village election for the establishment of a system for supplying the village and its inhabitants with light by any approved method, or for the acquisition of an existing private system, at an expense in either case not exceeding the sum stated in the proposition.

§ 242. Acquisition of existing private system.—If a proposition be adopted for the acquisition of an existing private lighting system, the board of light commissioners may purchase the same at a price not exceeding the sum specified therein. If the board cannot agree with the owners of the system for its purchase, proceedings may be taken to acquire the same by condemnation. If the value thereof fixed by the commissioners appointed in the condemnation proceedings be greater than the sum specified in the proposition, such proceedings must be discontinued, unless the payment of the additional amount be authorized at a village election. If the proceedings be so discontinued, the costs and the disbursements of the defendants therein are a charge against the village.

§ 243. Establishment of lighting system.—If a proposition to establish a lighting system be adopted, the board of light commissioners shall proceed to construct such system accordingly. It shall prepare a map and plans of such system, indicating the streets and localities in the village to be supplied with light thereby, and shall file the same in the office of the village clerk. The board of light commissioners may acquire in the name of the village, by purchase, if it can agree with the owners, or otherwise by condemnation, any land necessary for such system. The board

may amend the map and plans at any time and such amended map shall be filed in the office of the village clerk in like manner as the original. The board may construct such lighting system by contract or otherwise.

§ 244. Supervision and extension of system.— The lighting system acquired or established under this article shall be under the control and supervision of the board of light commissioners. The board shall keep it in repair and may, from time to time, if it has sufficient funds, extend such system, if the expense thereof in any year will not exceed five hundred dollars. If the estimated expense will exceed five hundred dollars, such extension can only be made when authorized by a proposition adopted at an election.

§ 245. Ordinances.— The board of light commissioners may adopt ordinances, not inconsistent with law, for enforcing the collection of light rents and relating to the use of light, and may enforce observance thereto, by cutting off the supply of light or by the imposition of penalties.

§ 246. Establishment of light rents.— The board of light commissioners shall establish a scale of rents for the use of light, to be called "light rents," and to be paid at such times as the board may prescribe.

§ 247. Annual report of light commissioners.— Between the first and the fourth day of March in each year, the board of light commissioners shall file with the village clerk a report containing a statement of the following facts:

1. The amount of money on hand at the beginning of the preceding fiscal year, and the receipts from all sources during such year.

2. An itemized statement of the amount paid out during such year, and the balance on hand.

3. The outstanding indebtedness of the department, either bonded or otherwise, separately stated.

4. The estimated deficiency in the amount necessary to pay the principal or interest or the expenses of the department during the next fiscal year, after applying thereto the probable amount of light rents to be received, and any amount available from the sinking fund.

5. The improvements and extensions made during such preceding year, and the general condition of the lighting system.

6. Such other facts as the board deems important for the information of the village, together with such recommendations concerning the department as may be deemed proper.

THE VILLAGE LAW — (Continued).

ARTICLE XIII-A.

(Added by L. 1906, ch. 34.)

PROVISIONS APPLICABLE TO VILLAGES HAVING A POPULATION OF
FOURTEEN THOUSAND OR OVER.

Section 339-a. Application.— This article shall apply to all villages whose population is shown by the last state census to exceed fourteen thousand inhabitants.

§ 339-i. Contract for lighting.— In every such village the board of light commissioners may contract in the name of the village, with an individual or corporation, for lighting the streets, public grounds and public buildings of the village by gas, electricity or other substance; but such contract shall not be made for a longer period than five years, nor at an expense for each fiscal year exceeding three mills on every dollar of taxable property of the village as appears on the last preceding village assessment-roll, unless authorized at a village election.

THE TOWN LAW.

LIGHTING CONTRACTS.

LAWS 1892, CHAPTER 255.

AN ACT to authorize the several towns of this state to establish lamp or lighting districts outside the limits of any incorporated village or villages therein, and to provide for the lighting of the public buildings, streets, avenues, highways and public places in said districts.

Section 1. Contracts for lighting; lighting districts.— It shall be lawful for the town board of any town in this state to contract for the lighting of the streets, avenues, highways, public places and public buildings therein, outside the corporate limits of any incorporated village in said town, upon such terms and for such time or period not exceeding ten years, as the town board may deem proper or expedient, and for the payment of the expenses thereof may establish one or more lamps or lighting districts therein. It shall be lawful for the town boards of two or more adjoining towns in this state whenever a petition for the establishment of a lamp or lighting district shall cover territory

lying in two or more adjoining towns in this state, to contract for the lighting of the streets, avenues, highways, public places and public buildings therein, outside the corporate limits of any incorporated village in said town upon such terms and for such time, or period not exceeding ten years, as the town boards of two or more adjoining towns in joint session assembled may deem proper or expedient and for the payment of the expenses thereof. (*As amended by L. 1893, ch. 79, and L. 1896, ch. 309.*)

§ 2. Petition for lighting.— No such contract shall be made unless a petition for such lighting, signed by a majority of the taxpayers of such lamp or lighting district, shall be filed with the town clerk of said town thirty days before the contract is made, but in the county of Nassau no such contract shall be made unless the petition for such lighting signed by a majority of the resident taxpayers in such lamp or lighting district, unless it be a renewal or extension of such a contract. (*As amended by L. 1893, ch. 79; L. 1896, ch. 309; L. 1898, ch. 669; L. 1899, ch. 492, and L. 1900, ch. 692.*)

§ 3. Notice of special election.— The town board, or if such district shall lie in two or more adjoining towns, then the town boards of each such town shall cause notice of the same to be published for one week in one or more of the newspapers published in such town or towns, or if no newspaper be published in such town or towns, then by posting said notice in at least six public and conspicuous places in said district of the filing of said petition, and the time and place when the same will be acted upon by said town board, or if such lighting district lies in two or more adjoining towns, then when the same will be acted upon at a joint meeting of the town boards of such towns, to be held in the territory where such district is to be created. (*As amended by L. 1893, ch. 79, and L. 1896, ch. 309.*)

§ 4. Tax.— The amount of any contract that may be entered into pursuant to the provisions of this act, shall be assessed, levied and collected upon the taxable property in said town or district in the same manner, at the same time, and by the same officers as the town taxes, charges or expenses of said town are now assessed, levied and collected, and the same shall be paid over by the supervisor to the corporation, company, person or persons furnishing or supplying said light. If the town boards of two or more adjoining towns shall, in joint session, establish a lamp or lighting district in two or more adjoining towns, they shall determine the relative proportion of the expense of such lighting which shall

be borne by each of said towns, and the amount of such expense shall be assessed and levied on the taxable property in such lighting district in each of said towns, and collected in the same manner and at the same time, and by the same officers as the town taxes, or charges or expenses of the town in which said district is located, are now assessed, levied and collected, and such relative expense shall be paid over by the supervisor of each of said towns to the corporation, company, person or persons furnishing or supplying said light. (*As amended by L. 1893, ch. 79, and L. 1896, ch. 309.*)

THE COUNTY LAW.

CHAPTER 686, LAWS OF 1892.

AN ACT in relation to counties, constituting chapter eighteen of the general laws.

* * * * *

Section 53. Statement of railroad, telegraph, telephone and electric light taxes.—The clerk shall, within five days after the making out, or issuing of the annual tax-warrant by the board of supervisors, prepare and deliver to the county treasurer of his county, a statement showing the title of all railroad corporations and telegraph, telephone and electric-light lines in such county, as appear on the last assessment-roll of the towns or cities therein, the valuation of the property, real and personal, of such corporation and line in each town or city, and the amount of tax assessed or levied on such valuation in each town or city in his county.

THE TAX LAW.

CHAPTER 908, LAWS OF 1896.

AN ACT in relation to taxation, constituting chapter twenty-four of the general laws.

CHAPTER XXIV OF THE GENERAL LAWS.

ARTICLE I.

TAXABLE PROPERTY AND PLACE OF TAXATION.

Section 1. Short title.—This chapter shall be known as the tax law.

§ 2. Definitions.—1. "Tax district" as used in this chapter, means a political subdivision of the state having a board of as-

sessors authorized to assess property therein for state and county taxes.

2. "County treasurer" includes any officer performing the duties devolving upon such office under whatever name.

3. The terms "land," "real estate," and "real property," as used in this chapter, include the land itself above and under water, all buildings and other articles and structures, substructures and superstructures, erected upon, under or above, or affixed to the same; all wharves and piers, including the value of the right to collect wharfage, crantage or dockage thereon; all bridges, all telegraph lines, wires, poles and appurtenances; all supports and inclosures for electrical conductors and other appurtenances upon, above and under ground; all surface, under ground or elevated railroads, including the value of all franchises, rights or permission to construct, maintain or operate the same in, under, above, on or through, streets, highways, or public places; all railroad structures, substructures and superstructures, tracks and the iron thereon; branches, switches and other fixtures permitted or authorized to be made, laid or placed in, upon, above or under any public or private road, street or ground; all mains, pipes and tanks laid or placed in, upon, above or under any public or private street or place for conducting steam, heat, water, oil, electricity or any property, substance or product capable of transportation or conveyance therein or that is protected thereby, including the value of all franchises, rights, authority or permission to construct, maintain or operate, in, under, above, upon, or through, any streets, highways, or public places, any mains, pipes, tanks, conduits, or wires, with their appurtenances, for conducting water, steam, heat, light, power, gas, oil, or other substance, or electricity for telegraphic, telephonic or other purposes; all trees and underwood growing upon land, and all mines, minerals, quarries and fossils in and under the same, except mines belonging to the state. A franchise, right, authority or permission specified in this subdivision shall for the purpose of taxation be known as a "special franchise." A special franchise shall be deemed to include the value of the tangible property of a person, copartnership, association or corporation situated in, upon, under or above any street, highway, public place or public waters in connection with the special fran-

chise. The tangible property so included shall be taxed as a part of the special franchise. No property of a municipal corporation shall be subject to a special franchise tax. (*As amended by L. 1899, ch. 712.*)

4. The term special franchise shall not be deemed to include the crossing of a street, highway or public place where such crossing is not at the intersection of another street or highway, unless such crossing shall be at other than right angles for a distance of not less than two hundred and fifty feet, in which case the whole of such crossing shall be deemed a special franchise. This subdivision shall not apply to any elevated railroad. (*Added by L. 1901, ch. 490.*)

5. The terms "personal estate," and "personal property," as used in this chapter, include chattels, money, things in action, debts due from solvent debtors, whether on account, contract, note, bond or mortgage; debts and obligations for the payment of money due or owing to persons residing within this state, however secured or wherever such securities shall be held; debts due by inhabitants of this state to persons not residing within the United States for the purchase of any real estate; public stocks, stocks in moneyed* corporations, and such portion of the capital of incorporated companies, liable to taxation on their capital, as shall not be invested in real estate. (*Made sub. 5 by L. 1901, ch. 490.*)

* * * * *

§ 73. Payment of taxes by railroad and certain other corporations.— Any railroad, telegraph, telephone or electric-light company may, within thirty days after receipt of notice by the county treasurer from the clerk of the board of supervisors, pay its tax, with one per centum fees, to the county treasurer, who shall credit the same with such fees to the collector of the tax district, unless otherwise required by law. If not so paid the county treasurer shall notify the collector of the tax district where it is due, and he shall then proceed to collect under his warrant. Until such notice from the treasurer the collector shall not enforce payment of such taxes, but may receive the same, with the fees allowed by law, at any time.

* * * * *

§ 74. Enforcement of tax against telegraph, telephone and electric-light lines.— Collection of tax against a telegraph, telephone

* So in original.

or electric-light line may be enforced by sale of the instruments and batteries connected with such line, and in case there is not sufficient personal property, together with such instruments and batteries, to pay such tax and the percentage due the collector, he shall return a statement thereof to the county treasurer as other unpaid taxes are returned, and the county treasurer shall proceed to sell such part of the line in the tax district where the tax was levied as may be necessary to satisfy the unpaid taxes and percentage, in the manner now provided by law for the sale of lands on execution, and upon such sale shall execute to the purchaser a conveyance of such part of said line, and the purchaser shall thereupon become the owner thereof. Nothing herein contained shall be construed to prevent collection of such taxes by any procedure now provided by law.

§ 183. Certain corporations exempt from tax on capital stock.— Banks, savings banks, institutions for savings, title guaranty, insurance or surety corporations, every trust company incorporated, organized or formed, under, by or pursuant to a law of this state, and any company authorized to do a trust company business, solely or in connection with any other business, under a general or special law of this state, laundry corporations, manufacturing corporations to the extent only of the capital actually employed in this state in manufacturing, and in the sale of the product of such manufacturing, mining corporations wholly engaged in mining ores within this state, agricultural and horticultural societies or associations, and corporations, joint-stock companies or associations owning or operating elevated railroads or surface railroads not operated by steam, or formed for supplying water or gas for electric or steam heating, lighting or power purposes, and liable to a tax under sections one hundred and eighty-five and one hundred and eighty-six of this chapter, shall be exempt from the payment of the taxes prescribed by section one hundred and eighty-two of this chapter. But such a laundrying* manufacturing or mining corporation shall not be exempted from the payment of such tax, unless at least forty per centum of the capital stock of such corporation is invested in property in this state and used by it in its laundrying*, manufacturing or mining business in this state. (*As amended by L. 1906, ch. 474. In effect October 1, 1906.*)

§ 186. Franchise tax on water-works companies, gas companies, electric or steam heating, lighting and power companies.—

* So in original.

Every corporation, joint-stock company or association formed for supplying water or gas, or for electric or steam heating, lighting or power purposes, shall pay to the state for the privilege of exercising its corporate franchises or carrying on its business in such corporate or organized capacity in this state, an annual tax which shall be five-tenths of one per centum upon its gross earnings from all sources within this state, and three per centum upon the amount of dividends declared or paid in excess of four per centum upon the actual amount of paid-up capital employed by such corporation, joint-stock company or association.

§ 189. Reports of corporations.—Corporations liable to pay a tax under this article shall report as follows:

1. Corporations paying franchise tax.—Every corporation association or joint-stock company liable to pay a tax under section one hundred and eighty-two of this chapter shall, on or before November fifteenth in each year, make a written report to the comptroller of its condition at the close of its business on October thirty-first preceding, stating the amount of its authorized capital stock, the amount of stock paid in, the date and rate per centum of each dividend declared by it during the year ending with such day, the entire amount of the capital of such corporation, and the capital employed by it in this state during such year.

* * * * *

4. Water-works, gas, electric, steam heating, lighting and power corporations.—Every corporation, joint-stock company or association liable to pay a tax under section one hundred and eighty-six of this chapter, shall, on or before December first of each year, make a written report to the comptroller of its condition at the close of its business on October thirty-first preceding, stating the amount of its gross earnings from business done in this state, the amount of dividend of every nature declared or paid during the year ending with October thirty-first, the authorized capital of the company and the amount of capital stock actually issued and outstanding.

PENAL CODE.

Section 651. Unlawful interference with gas or electric meters or steam valves.—A person who wilfully with intent to injure or defraud:

1. Connects a tube, pipe, wire or other instrument or contrivance with a pipe or wire used for the conducting or supplying

illuminating gas, fuel, natural gas or electricity in such a manner as to supply such gas or electricity to any burner, orifice, lamp or motor where the same is or can be burned or used without passing through the meter or instrument provided for registering the quantity consumed, or uses such gas or electricity obtained by reason of the making of such connections; or

2. Obstructs, alters, injures or prevents the action of a meter or other instrument used to measure or register the quantity of illuminating fuel, natural gas or electricity consumed in a house or apartment, or at an orifice or burner, lamp or motor, or by a consumer or other person or a person other than a state inspector or deputy inspector of gas meters or an employee of the company owning any gas or electric meter, who wilfully shall detach or disconnect such meter, or make or report any test of, or examine for the purpose of testing any such meter so detached or disconnected; or

3. In any manner whatever, changes, extends or alters any service or other pipe, wire or attachment of any kind, connecting or through which natural or artificial gas or electricity is furnished from the gas mains or pipes or wires of any person, company or corporation without first procuring from said person, company or corporation written permission to make such change, extension or alterations, or uses gas or electricity obtained by reason of such changes, extensions or alterations without first procuring the written permission aforesaid; or

4. Makes any connection or reconnection with the gas mains, service pipes or wires of any person, company or corporation furnishing to consumers natural or artificial gas or electricity, or turns on or off or in any manner interferes with any valve or stopcock or other appliances belonging to such person, company or corporation and connected with its service or other pipes or wires, or enlarges the orifice of mixers, or uses natural gas for heating purposes except through mixers, or uses electricity or artificial gas for any purpose before it has passed through an instrument for measuring the quantity consumed, without first procuring from such person, company or corporation a written permit to turn on or off such stopcock or valve, or to make such connections or reconnections, or to enlarge the orifice of mixers or to use for heating purposes without mixers, or to interfere with the valves, stopcocks, wires, or other appliances of such person, company or corporation as the case may be; or

5. Retains possession of or refuses to deliver any mixer or mixers, meter or meters, lamp or lamps, or other appliances which may be or may have been loaned or rented to them by any person, company or corporation for the purpose of furnishing gas, electricity or power through the same, or who sells, loans or in any manner disposes of the same to any person or persons other than the said person, company or corporation entitled to the possession of the same; or

6. Sets on fire any gas escaping from wells, broken or leaking mains, pipes, valves or other appliances used by any person, company or corporation, in conveying gas to consumers, or interferes in any manner with the wells, pipes, mains, gateboxes, valves, stopcocks, wires, cables, conduits, or any other appliances, machinery or property of any person, company or corporation engaged in furnishing gas to consumers unless employed by or acting under the authority and direction of such person, company or corporation; or

7. Opens or causes to be opened or reconnects or causes to be reconnected any valve lawfully closed or disconnected by a district steam corporation; or

8. Turns on steam or causes it to be turned on, or to re-enter any premises when the same has been lawfully stopped from entering such premises, is guilty of a misdemeanor.

(As amended by L. 1906, ch. 453. In effect September, 1906.)

NEW YORK CITY.

LAWS 1901, CHAPTER 466.

AN ACT to amend the Greater New York charter, chapter three hundred and seventy-eight of the laws of eighteen hundred and ninety-seven, entitled "An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof."

§ 50. Id.; to regulate the use of streets, processions, etc.— Subject to the constitution and laws of the state, the board of aldermen shall have power to regulate the use of streets and sidewalks by foot passengers, animals or vehicles; * * * to

prevent encroachments upon and obstructions to the streets and to authorize and require their removal by the proper officers; to regulate the opening of street surfaces for purposes authorized by law; * * * to regulate the use of the streets * * * for telegraph or other electric wires, and other purposes; to regulate street pavements, cross-walks, curbstones, gutter-stones and sidewalks; to provide for regulating, grading, flagging, curbing, guttering and lighting the streets; * * * Whenever the word "street" or the plural thereof occurs in this section it shall be deemed to include all that is included by the terms "street, avenue, road, alley, lane, highway, boulevard, concourse, public square and public place," or the plurals thereof respectively. * *

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CHAPTER III.

FRANCHISES AND GRANTS OF LAND UNDER WATER.

TITLE I.

Franchises.

§ 71. Inalienable rights of the city to its properties.—The rights of the city in and to its water front, ferries, wharf property, land under water, public landings, wharves, docks, streets, avenues, parks, and all other public places are hereby declared to be inalienable.

§ 72. Franchises to be granted by ordinance.—Every grant of or relating to a franchise of any character to any person or corporation must, unless otherwise provided in this act, be by ordinance.

§ 73. Limitations and conditions to grants of franchises.—After the approval of this act no franchise or right to use the streets, avenues, waters, rivers, parkways or highways of the city, shall be granted by the board of aldermen to any person or corporation for a longer period than twenty-five years, except as hereinafter provided, but such grant may at the option of the city provide for giving to the grantee the right on a fair revaluation or revaluations to renewals not exceeding in the aggregate twenty-five years. * * * At the termination of any franchise or right granted by the board of aldermen all the rights or property of the grantee in the streets, avenues, waters, rivers, park-

ways and highways shall cease without compensation. Every such grant of a franchise and every contract made by the city in pursuance thereof may provide that upon the termination of the franchise or right granted by the board of aldermen the plant of the grantee with its appurtenances, shall thereupon be and become the property of the city without further or other compensation to the grantee; or such grant and contract may provide that upon such termination there shall be a fair valuation of the plant which shall be and become the property of the city on the termination of the contract on paying the grantee such valuation. If by virtue of the grant or contract the plant is to become the city's without money payment therefor, the city shall have the option either to take and operate the said property on its own account, or to lease the same for a term not exceeding twenty years. If the original grant shall provide that the city shall make payment for the plant and property, such payment shall be at a fair valuation of the same as property, excluding any value derived from the franchise; and if the city shall make payment for such plant, it shall in that event have the option either to operate the plant and property on its own account or to lease the said plant and property and the right to the use of streets and public places in connection therewith for limited periods, in the same or similar manner as it leases the ferries and docks. Every grant shall make adequate provision by way of forfeiture of the grant, or otherwise, to secure efficiency of public service at reasonable rates and the maintenance of the property in good condition throughout the full term of the grant. The grant or contract shall also specify the mode of determining the valuation and revaluations therein provided for.

§ 74. Proceedings prior to grant of franchise.— Before any grant of the franchise or right to use any street, avenue, waterway, parkway, park, bridge, dock, wharf, highway or public ground or water within or belonging to the city shall be made by the board of estimate and apportionment, the proposed specific grant embodied in the form of a contract with all of the terms and conditions, including the provisions as to rates, fares and charges, and together with the form of the resolution or resolutions for the granting of the same, shall be entered in the minutes of the board of estimate and apportionment and after such entry shall be published at least twenty days in the City Record and at least twice in two daily newspapers published in the city to be

designated by the mayor at the expense of the proposed grantee. The board of estimate and apportionment shall, before authorizing any such contract or adopting any such resolution, set a date or dates for a public hearing thereon at which citizens shall be entitled to appear and be heard. No such hearing shall be held however until notice thereof shall have been published for at least ten days immediately prior thereto in the City Record and at least twice in two daily newspapers published in the city to be designated by the mayor, at the expense of the proposed grantee, and the said board of estimate and apportionment before authorizing any such contract or adopting any such resolution shall make inquiry as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and publish the results of such inquiry at least ten days in the City Record and at least twice in the daily newspapers in which such form of contract shall be published. Every such contract or resolution shall be entered on the minutes or record of such board of estimate and apportionment, and every contract or resolution containing or making such grant shall require the concurrence of members of the board of estimate and apportionment entitled as provided by law to three-fourths of the total number of votes to which all the members of the said board shall be entitled, and the votes shall be shown by the ayes and noes as recorded in the minutes of the board. Thirty days at least shall intervene between the introduction and final passage of any such resolution or authorization of such contract. The separate and additional approval of the mayor shall be necessary to the validity of every such contract or resolution. This act shall apply to any renewal or extension of the grant or leasing of the property to the same grantee or to others. Within five days after the adoption of any such resolution or any such authorization, a copy thereof, including the full text of the franchise, grant or contract, and duly attested by the clerk of the board of estimate and apportionment, shall be transmitted to each of the following: The comptroller, the corporation counsel, the city clerk and the board of rapid transit railroad commissioners of the city of New York, to be preserved by them among the archives of their departments or office. All such certified copies shall be deemed to be public records. (*As amended by L. 1905, ch. 630.*)

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CHAPTER IV.

THE EXECUTIVE.

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§ 96. Administrative departments.— There shall be the following administrative departments in said city:

* * * * *

Department of water supply, gas and electricity.

* * * * *

§ 100. Department of water supply, gas and electricity, street cleaning and bridges.— 1. The head of the department of water supply, gas and electricity shall be called the commissioner of water supply, gas and electricity.

* * * * *

§ 391. Permit for removals of pavements, etc.; procedure in case of pavements relaid, etc.— No removal of the pavement or disturbance of the surface of any street for the purpose of constructing vaults or lateral ways, digging cellars, laying foundations of buildings or other structures, making sewer connections, or repairing sewers or pipes, of laying down gas and water pipes, steam pipes and electric wires, or introducing the same into buildings, or for any purpose whatever, shall be made until a permit is first had from the president of the borough where the work is to be done; and whenever any portion of the pavement in any street or avenue in said city shall have been removed for any of these purposes, and such pavement shall not be relaid in a manner satisfactory to the president of said borough, the said president may cause a notice, in writing, to be served upon the person or corporation by whom the same was removed; or if such removal was for the purpose of making connection between any house or lot, or any sewer or pipes in the street, or for constructing vaults, or otherwise improving any house or lot, upon the owner or occupant of such house or lot, requiring such person or corporation, or the owner or occupant of such house or lot, to have such pavement properly relaid within five days after service of such notice. Such notice may be served upon the owner or occupant of a house or lot by leaving the same with any person of adult age upon said premises, or posting the same thereupon; in case such pavement, or portion thereof, shall not be relaid to the satisfaction of said borough president within the time specified in such notice, it shall be lawful, and authority is hereby

given to said borough president to have such pavement, or the portion thereof which shall have been so unsatisfactorily laid, put in proper order and repair, in such manner as he may deem best, on account of the person or corporation by whom such pavement was removed, or of the owner of the premises for whose benefit such removal was made. Upon the costs of such work being certified to the comptroller of The City of New York by the said borough president, with a description of the lot or premises to improve which such removal was made, said comptroller shall pay the same, and the amount so paid shall become a lien and charge upon the premises so described, and, on being certified by the comptroller to the collector of assessments and arrears, may be collected in the same manner that arrears and water rates are collected under the direction of such collector of assessments and arrears. But nothing herein contained shall be deemed to prohibit said borough president from demanding, before issuing said permit, and as a condition thereof, the deposit of such sum of money or other security as, in his judgment, may be necessary to pay the cost of properly relaying the pavement so removed, together with the expense of the inspection thereof.

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CHAPTER XI.

DEPARTMENTS OF WATER SUPPLY, GAS AND ELECTRICITY, STREET CLEANING AND BRIDGES.

TITLE 1.

General Provisions.

§ 450. Heads of departments.—Each of the commissioners hereinafter provided for in this chapter shall in all respects administer his department in conformity with the ordinances of the board of aldermen relating thereto, and each shall be vested with the sole executive power in his department, and be subject to the laws of the state and the ordinances of the city for the conduct and the work of his department.

§ 452. Deputies.—The commissioner at the head of each of said departments may appoint one deputy commissioner who shall be located at the main office of such department, and there may be a deputy in each borough in which is located a branch office of such department, if provision is made therefor by the board

of estimate and apportionment and the board of aldermen. A deputy commissioner located at a branch office shall, under the direction and control of the commissioner appointing him, have charge of the office work of his department in the borough or boroughs for which the office was established, and of the execution of all work devolved upon his department therein. The commissioner at the head of each of said departments may designate one or more of said deputies, who shall, in addition to his other powers, possess every power and perform all and every duty belonging to the office of such commissioner, so far as specified in such designation, whenever so empowered by such commissioner by written authority, designating therein a period of time, not extending beyond a period of three months nor beyond the term of office of such commissioner, during which such power and duty may be exercised, and such designation and authority shall be duly filed in and remain of record in said department, but may be revoked at any time. A deputy commissioner so designated shall possess the like authority in case of absence or disability of such commissioner.

§ 453. Engineers.—The commissioner at the head of each of said departments, excepting the department of street cleaning, may appoint and at pleasure remove a chief engineer of his department, with power to appoint, remove, and detail a staff of assistant engineers. If the commissioner of any department deem it advisable that more than one chief engineer be appointed for such department, such commissioner, when authorized by the board of estimate and apportionment and the board of aldermen, may appoint such additional chief engineers, each with power to appoint and remove at pleasure, and detail a staff of assistant engineers. All chief engineers and assistant engineers appointed by them respectively, must be civil engineers of at least ten years' experience. An engineer located at a branch office of his department in any borough may be appointed a deputy commissioner for the borough or boroughs to which he is assigned. An assistant engineer who has been appointed a deputy commissioner may be designated as the engineer for the borough in which he acts as deputy. Any engineer may be designated by such title as shall properly describe his principal duties in the judgment of the head of his department.

§ 455. Consulting engineers.—* * * The commissioner of water supply, gas and electricity may at any time employ, when

thereto authorized by the board of estimate and apportionment and the board of aldermen, a consulting hydraulic engineer to his department of at least fifteen years' experience as a civil engineer, and a consulting engineer of lighting and electricity to his department, who shall be an expert in all matters relating to lighting and electricity, and whose training shall also have included instruction in the capacity of civil engineer.

§ 459 Commissioners; power to appoint, etc.—If the commissioners of two or more departments named in this chapter shall at any time determine that the duties of the chief engineer or the deputy commissioner in each of said two or more departments in and for any borough can be adequately performed by one and the same person, then it shall be lawful for said commissioners, each acting in his department, to appoint the same individual as chief engineer or deputy commissioner, or both, of such departments for any of said boroughs; such appointment as chief engineer may be revoked by the proper commissioner or commissioners, respectively, as to all but one department.

* * * * *

§ 462. Definition of word "street."—Whenever the word "street," or the plural thereof, occurs in this chapter, it shall be deemed to include all that is included by the term "street, avenue, road, alley, lane, highway, boulevard, concourse, public square and public place," or the plurals thereof, respectively.

TITLE 2.

Department of Water Supply, Gas and Electricity.

§ 468. Commissioner of water supply, gas and electricity; appointment; salary.—The head of the department of water supply, gas and electricity shall be called the commissioner of water supply, gas and electricity. He shall be appointed by the mayor and hold office as provided in chapter four of this act. His salary shall be seven thousand five hundred dollars a year. The main office of the department shall be located in the borough of Manhattan. A branch office shall be located in the borough of Brooklyn, and branch offices may be located in the borough of the Bronx, the borough of Queens and the borough of Richmond respectively. (*As amended by L. 1902, ch. 589.*)

§ 469. Id.; jurisdiction.—The commissioner of water supply, gas and electricity shall have cognizance and control:

1. Of all structures and property connected with the supply and distribution of water for public use, except the same shall be

owned by private corporations, including all fire and drinking hydrants and all water meters.

2. Of maintaining the quality of the water supply, and of the investigation for, and the construction of all work necessary to deliver the proper and required quantity of water with ample reserve for contingencies and future demands.

3. Of the collection of the revenues from the sale or use of water from the public water supply.

4. Of the enforcing of the regulations concerning the use of water, and of recommending to the board of aldermen proposed ordinances relating to any of the matters within the province of his department.

5. Of the making and performance of contracts when duly authorized in accord with the provisions of this act, and for the execution of the same in the matter of furnishing the city, or any part thereof, with gas, electricity or any other illuminant or of steam; of the selecting, locating and removing and changing of lights for the use of the city; of the inspecting and testing of gas and electricity used for light, heating and power purposes, electric meters, electric wires and of all lights furnished to said city; and of the use and transmission of gas, electricity, pneumatic power and steam for all purposes in, upon, across, over and under all streets, roads, avenues, parks, public places and public buildings; of the construction of electric mains, conduits, conductors, and subways in any such streets, roads, avenues, parks and public places, and the granting of the permission to open streets, when approved by the borough president, and to open the same for the purpose of carrying on therein the business of transmitting, conducting, using and selling electricity, steam, or for the service of pneumatic tubes. This section shall not be construed to empower the said commissioner to grant permission to open or use the streets except by persons or corporations otherwise duly authorized to carry on business of the character above specified.

§ 470. Id.; power when more than one borough involved.— If any of the public work within the cognizance and control of the said commissioner of water supply, gas and electricity must be executed entirely outside of the city limits, he may direct that such work be done by any of his force as may seem to him most advantageous.

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§ 519. Commissioner to inspect electric lights; to cause tests to be made, etc.—The said commissioner of water supply, gas and electricity shall cause inspection to be made of electric lights furnished to the city, and of electric meters and electric wiring, as such tests may be provided for by the proper appropriation; the said commissioner shall cause tests to be made of all meters in use in said city for measuring or ascertaining the quantity of electricity or steam furnished by any corporation or person in said city within one year after this act shall take effect; and thereafter no corporation or person shall furnish or put in use any electric or steam meter which shall not have been inspected, approved and sealed by the inspectors, and every such corporation or person shall provide and keep in or upon their premises a suitable and proper apparatus to be approved and sealed by the inspector for testing and proving accuracy of meters furnished for use by them. Whenever a meter shall be inspected the inspector shall attach thereto some seal, stamp or mark, with the inspector's name, the date of his inspection, and whether or not the meter is accurate. Meters in use shall be reinspected and tested on the written request of the consumer, or of the company, in the presence of the consumer, if desired. If any such meter on being so tested shall be found defective or inaccurate to the prejudice or injury of the consumer, the necessary removal, inspection, correction and replacing of such meter shall be without expense to the consumer; but in all other cases, except where the change is beneficial to the company, he shall pay the reasonable expense of such inspection and the reinspection shall be stamped on the meter. Provided, however, that nothing herein contained shall be construed as requiring to be sealed, electrolytic or other electric meters, which in their construction or use are not susceptible of being sealed, nor the apparatus employed in taking the usual periodic reading therefrom; but all such meters shall, in all other respects, be tested and stamped in the manner provided herein for other meters; and every corporation using such electrolytic or other meter shall at all times admit the inspectors of meters at the meter department and reading rooms, and permit the inspection by him of all meters and of all the processes, methods and operations of measuring electric current consumed by it.

§ 520. Laws repealed.—The provisions of sections sixty-two, sixty-three and sixty-four of chapter forty of the general laws,

known as the transportation corporations law, are hereby repealed in so far as they affect the inspection of electric meters within The City of New York.

§ 521. Interest in manufacture of gas, etc., and certain acts by officers, etc., of department prohibited.—No officer, agent or employee of the department of water supply, gas and electricity shall in any way, directly or indirectly, be interested, pecuniarily, in the manufacture or sale of gas, or of electricity or steam, or of gas or electric or steam meters, or of any article or commodity used by gas or electric companies, or used for any purpose for the consumption of gas or of electricity, or steam, or in or with a gas or electric or steam company, and no such officer, agent or employee shall give certificates or written opinions to a maker or vendor of any such article or commodity.

§ 522. Inspection of illuminating gas; tests.—The said commissioner of water supply, gas and electricity shall appoint inspectors who shall inspect and test the illuminating gas manufactured within the City of New York or furnished or sold to said city or to any consumer therein. The compensation of said inspectors shall be fixed by the board of estimate and apportionment and paid by the city. The gas manufactured, furnished or sold as aforesaid shall be tested with reference to illuminating power, pressure and purity, in a suitable manner and by proper apparatus at least once each day, and shall also be tested whenever the said commissioner shall direct. The inspectors shall report under oath the results of their tests to the said commissioner daily and the said commissioner shall file the said reports in his office and the same shall be public records. (*As amended by L. 1905, ch. 735. In effect July 1, 1905.*)

§ 523. Commissioner to submit proposed ordinances relative to wires, etc.—The said commissioner of water supply, gas and electricity shall from time to time submit for the consideration of the board of aldermen such proposed ordinances in regard to electric wires, appliances and currents for furnishing light, heat or power when introduced into or placed in any building in said city. Such proposed ordinances shall prescribe the method of construction, operation, location, arrangement, insulation and use of such wires, appliances and currents, as said commissioner shall from time to time deem necessary for the protection of life and property.

§ 524. Inspector of electric wiring; qualifications; all wires to be inspected; rules, notices, etc.; penalty for violation.—Any inspector of electric wiring appointed in the department shall have a technical and practical knowledge of the construction and operation of electrical lines and appliances. After this act takes effect, the commissioner shall cause to be inspected all such wires, currents and appliances that may be introduced into or placed in any building in said city, and the said commissioner shall furnish a certificate of such inspection to any person or corporation applying therefor. All notices of the violation of any of the provisions of this section, or of any ordinances relating to said department, or any regulations, rules or orders made thereunder relating to electrical wires, currents or appliances, shall be issued and served in the manner provided in this act for the service of notices. The violation of any of the provisions of this section or of any of the said ordinances or any rules or regulations thereunder shall be deemed to be a violation of the building code of said city, and shall subject the person or corporation committing the same to the penalties prescribed herein for such violations.

§ 525. Removal of electric wires.—Whenever in the opinion of the board of estimate and apportionment it shall be practicable to remove the electrical conductors above ground in any street, avenue, highway or public place of that part of the city of New York which lies within the boroughs of Manhattan and the Bronx, after the grade of said street, avenue or highway shall have been finally determined and established, and to place the same underground, the commissioner of water supply, gas and electricity shall notify the owners or operators of the electrical conductors above ground that such electrical conductors must be removed within a certain time to be fixed by said commissioner, which time shall be sufficient for such removal, and in the case of a corporation duly authorized to lay and operate electrical conductors underground in such street, avenue, highway or public place, sufficient also for the proper laying of conductors underground in place of those removed. All electrical conductors authorized to be placed underground, shall be placed underground under and in accordance with the provisions of chapter seven hundred and sixteen of the laws of eighteen hundred and eighty-seven, chapter two hundred and thirty-one of the laws of eighteen hundred and ninety-one, chapter two hundred and sixty-three of

the laws of eighteen hundred and ninety-two and the laws amendatory thereof and supplemental thereto. Whenever application shall be made to said commissioner of water supply, gas and electricity for permission to place underground electrical conductors in any street, avenue, highway or public place of that part of the city of New York which lies within the boroughs of Manhattan and the Bronx, the subways therefor shall, if such permission be granted, be constructed or provided, and such electrical conductors placed underground under and in accordance with the provisions of said laws. But such permission shall be granted only in accordance with the provisions of said laws.

§ 526. Underground electrical conductors.—Whenever the said board of estimate and apportionment shall deem it desirable and practicable, after hearing all parties interested, that the electrical conductors in any street, avenue, highway or public place of the city of New York, lying within the boroughs of Brooklyn, Queens and Richmond, be placed underground, the said commissioner of water supply, gas and electricity shall notify the owners or operators of the electrical conductors above ground in any such street, avenue, highway or public place, that said electrical conductors shall be placed underground within a certain time to be fixed by the said commissioner, which said time shall be sufficient for the proper construction of underground conduits or other channels in said street, avenue, highway or public place. Whenever any duly authorized company operating or intending to operate electrical conductors in any street, avenue, highway or public place in that part of the city of New York which lies within the boroughs of Brooklyn, Queens and Richmond, shall desire to place its conductors or any of them underground, it shall be obligatory upon such company to file with the said commissioner a map or maps made to a scale, showing the streets or avenues or other highways or public places, which are desired to be used for such purpose, and giving the general location, dimensions and course of the underground conduit desired to be constructed. Before any such conduit shall be constructed it shall be necessary to obtain the approval by said commissioner of said plan of construction so proposed by such company, and said commissioner shall have power to require that the work of removal and of constructing every such system of underground conductors shall be done according to such plan so approved.

§ 527. Id.; procedure when board of estimate and apportionment determines upon.—Whenever the commissioner of water supply, gas and electricity in accordance with the resolution of the board of estimate and apportionment shall notify the owners or operators of any electrical conductors in the city of New York, that said conductors shall be removed or placed underground within a certain time, the time within which said electrical conductors shall be placed underground shall be fixed by the said commissioner, giving all persons or corporations owning or operating such electrical conductors, an opportunity to be heard on the question of the time necessary to place said conductors underground, and after hearing the engineer of lighting and electricity, and such other expert opinion as the said commissioner may think advisable. Said owners or operators of electrical conductors above ground in such street or locality shall be required to remove all of said poles, wires or other electrical conductors and supporting fixtures or other devices from any such street or locality within thirty days after the expiration of the time so fixed by said commissioner.

§ 528. Id.; permit necessary to take up pavement, etc.; commissioner of water supply, etc., to determine method of extension; board of aldermen may enact ordinances regulating use, etc.—It shall be unlawful, after the passage of this act, for any person or corporation to take up the pavement of any of the streets, avenues, highways or other public places of said city, or to excavate for the purpose of laying underground any electrical conductors, of constructing subways, or of erecting poles, unless permission in writing therefor shall have been first obtained from the said commissioner of water supply, gas and electricity with the written approval of the president of the borough within which it is desired to lay such conduits, erect such poles, or to construct such subways. No electrical conductors, shall be strung, laid or maintained above or below the surface of any street, avenue, highway or other public place, in any part of said city without permission in writing from said commissioner therefor. And the said commissioner shall determine whether any extension of the existing electrical conductors of any person or corporation in said city shall be by means of overhead or underground conductors. The board of aldermen may establish, and may from time to time enact general ordinances regulating the construction, maintenance, use and management of the electrical conductors, poles and fixtures

above ground, and the conduits and subways therefor constructed underground.

§ 529. The four preceding sections to be police regulations.— The provisions of the four preceding sections of this act are made police regulations in and for the city of New York, and in case the several owners of said poles, wires or other electrical conductors, fixtures and devices shall not cause them to be removed from such streets or localities as required by said commissioner of water supply, gas and electricity or by the determination of the board of estimate and apportionment, or shall neglect or refuse to comply with any of the ordinances as herein provided, it shall be the duty of the said commissioner to cause the same to be removed from said streets, roads, avenues, lanes, parks and public places.

§ 530. Separate contracts for lighting each borough; duty of commissioner.— The commissioner of water supply, gas and electricity, under and in conformity to the ordinance regulating contracts shall prepare the terms and specifications under which contracts shall be made for lighting the streets, public buildings and parks of said city. Separate contracts shall be made for such lighting in each of the boroughs of the city of New York, or in such subdivisions of the city as may appear to the board of estimate and apportionment to be for the best interests of the city. The number, kind and location of lights to be furnished under each of said contracts shall be determined and prescribed by the said commissioner. Such bids shall be prepared and advertised for, and such contracts shall be executed in the manner prescribed for herein as to other contracts entered into by said city or the departments thereof. Contracts shall be made for the term of not exceeding one year, and shall be awarded to the lowest bidder, unless the board of estimate and apportionment shall determine that it is for the public interest that a bid other than the lowest should be accepted. Contracts made for a given borough or district shall include all lights of a given kind used by said city in said borough or district then ordered or thereafter to be ordered by said commissioner during the terms of said contract. But no bid shall be entertained unless the said commissioner shall be satisfied that the party or parties bidding are possessed of sufficient plant to carry out the provisions of the contract.

§ 531. Maps, etc., to be turned over to commissioner.—The commissioner of public buildings, lighting and supplies, as constituted by chapter three hundred and seventy-eight of the laws of eighteen hundred and ninety-seven, is hereby required and directed to turn over and deliver to the commissioner of water supply, gas and electricity, on the first day of January, nineteen hundred and two, all maps, plans, models, books and papers and all official records and papers of every kind in his possession relating to the construction and location of electrical conductors, conduits or subways, filed with or communicated to said commissioner.

PRICE OF GAS IN NEW YORK.

LAWS 1906, CHAPTER 125.

AN ACT in relation to illuminating gas in the city of New York and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation.

Section 1. A corporation, association, copartnership or person engaged in the business of manufacturing, furnishing or selling illuminating gas in the city of New York, except in the fifth ward of the borough of Queens and in that portion of the borough of the Bronx formerly contained in the towns of Eastchester and Pelham, shall not charge or receive for gas manufactured, furnished or sold in said city a sum per one thousand cubic feet in excess of the following rates:

1. In the borough of Manhattan, in the first ward of the borough of Queens, in the borough of Brooklyn except the thirtieth and thirty-first wards thereof, and in the borough of the Bronx, except that portion of it formerly contained in the town of Westchester outside of the villages of Wakefield and Williamsbridge, eighty cents.

2. In the second and fourth wards of the borough of Queens, and in the thirtieth ward of the borough of Brooklyn, one dollar.

3. In the third ward of the borough of Queens, in the thirty-first ward of the borough of Brooklyn, and in the borough of Richmond, one dollar and twenty-five cents for the remainder of the year nineteen hundred and six; one dollar and twenty cents during the year nineteen hundred and seven; one dollar and

fifteen cents during the year nineteen hundred and eight; one dollar and ten cents during the year nineteen hundred and nine; one dollar and five cents during the year nineteen hundred and ten; and one dollar thereafter.

4. In that portion of the borough of the Bronx formerly contained in the town of Westchester, outside of the villages of Wakefield and Williamsbridge, one dollar and fifteen cents during the years nineteen hundred and six, nineteen hundred and seven and nineteen hundred and eight; one dollar and ten cents during the year nineteen hundred and nine; one dollar and five cents, during the year nineteen hundred and ten; and one dollar thereafter.

§ 2. The illuminating gas furnished by any such corporation, association, copartnership or person shall have an illuminating power of not less than twenty-two sperm candles of six to a pound, burning at the rate of one hundred and twenty grains of spermaceti per hour tested at a distance of not less than one mile from the distributing holder by a burner consuming five cubic feet of gas per hour and each one hundred cubic feet of gas shall not contain more than five grains of ammonia nor more than twenty grains of sulphur nor more than a trace of sulphuretted hydrogen. The pressure of illuminating gas in any service mains in the said city at any distance from the place of manufacture shall not be less than one inch, nor more than two and one-half inches.

§ 3. Any corporation, association, copartnership or person violating any provision of this act shall forfeit the sum of one thousand dollars for each offense to the people of the state.

§ 4. This act shall not apply to gas furnished or sold to the city of New York.

§ 5. Chapter three hundred and eighty-five of the laws of eighteen hundred and ninety-seven, entitled "An act to regulate the price of illuminating gas in cities of fifteen hundred thousand inhabitants," and all other acts or parts of acts inconsistent herewith are hereby repealed.

§ 6. This act shall take effect on the first day of May, nineteen hundred and six.

LAWS 1905, CHAPTER 732.

AN ACT in relation to the price of electric current furnished or sold in the city of New York, for light, heat, power or other purposes to consumers other than said city and providing a penalty for violation.

§ 1. A corporation, association, copartnership or person engaged in the business of furnishing or selling electric current in the city of New York except in the fifth ward of the borough of Queens for any purpose shall not charge or receive for such electric current in said city a sum in excess of ten cents per kilowatt hour, except in the boroughs of Brooklyn and Richmond and borough of Queens (outside the fifth ward thereof) and that portion of the borough of the Bronx lying east of the Bronx river formerly the old town of Westchester where there may be charged twelve cents per kilowatt hour, of current actually consumed. (*As amended by L. 1906, ch. 616.*)

§ 2. This act shall not apply to electric current furnished or sold to the city of New York.

§ 3. Any corporation, association, copartnership or person violating any provision of this act shall forfeit the sum of one thousand dollars for each offense to the people of the state.

§ 4. All acts or parts of acts inconsistent herewith are hereby repealed.

§ 5. This act shall take effect on the first day of July, nineteen hundred and five.

LAWS 1905, CHAPTER 733.

AN ACT in relation to the price of electric current furnished or sold to the city of New York and providing a penalty for violation.

§ 1. A corporation, association, copartnership or person engaged in the business of furnishing or selling electric current in the city of New York for any purpose, shall not charge said city or receive therefrom for such electric current, a sum in excess of the following rates: For electric current, other than for street lighting, ten cents per kilowatt hour, except in the county of Kings where there may be charged twelve cents per kilowatt hour, of current actually consumed; for electric street lamps, burning

every night from fifteen minutes after sunset to forty-five minutes before sunrise, together with proper inspection and necessary service for care and maintenance, as follows, for such electric street lamps consuming four hundred and fifty watts of electric current at the arc, one hundred dollars per lamp per year; and for other electric street lamps at rates proportioned as follows to the rate for street lamps hereinbefore provided for according to the consumption of current, to wit, a difference of two dollars per lamp per year from said rate of one hundred dollars, for each increase or decrease as the case may be, of twenty-five watts of electric current consumed at the arc above or below four hundred and fifty watts; for two such electric street lamps attached to a single pole, each consuming approximately two hundred and fifty watts of electric current at the arc, sixty-five dollars per lamp per year. But the prices fixed by this act shall not apply to electric current furnished or sold to the city of New York for electric street lamps in that portion of the borough of the Bronx lying each of the Bronx river, formerly the old town of Westchester. (*As amended by L. 1906, ch. 390.*)

§ 2. Any corporation, association, copartnership or person violating any provision of this act shall forfeit the sum of one thousand dollars for each offense to be sued for and recovered in the name of and by the city of New York for its benefit.

§ 3. All acts or parts of acts inconsistent herewith are hereby repealed.

§ 4. This act shall take effect on the first day of July, nineteen hundred and five.

LAWS 1905, CHAPTER 734.

AN ACT to provide for the utilization, by the city of New York, of its water supply for the purpose of generating electric current for the use of said municipality.

Section 1. The board of water supply of the city of New York may, subject to the approval of the board of estimate and apportionment, utilize such water as it now owns or as it may hereafter acquire, for the purpose of generating electric current for the use of the municipality, provided that no additional water shall be used for said purpose than would otherwise be required by the city of New York.

§ 2. This act shall take effect immediately.

LAWS 1905, CHAPTER 736.

AN ACT in relation to the price of illuminating gas furnished or sold to the city of New York and providing a penalty for violation.

Section 1. A corporation, association, copartnership or person engaged in the business of furnishing or selling illuminating gas in the city of New York, shall not charge said city or receive therefrom for such gas, a sum in excess of seventy-five cents per one thousand cubic feet.

§ 2. The illuminating gas furnished or sold by any such corporation, association, copartnership or person to said city shall have an illuminating power of not less than twenty-two sperm candles of six to a pound burning at the rate of one hundred and twenty grains of spermaceti per hour tested at a distance of not less than one mile from the distributing holder by a burner consuming five cubic feet of gas per hour and each one hundred cubic feet of gas shall not contain more than five grains of ammonia nor more than twenty grains of sulphur nor more than a trace of sulphuretted hydrogen. The pressure of said illuminating gas in any service mains in the said city at any distance from the place of manufacture shall not be less than one inch nor more than two and one-half inches.

§ 3. Any corporation, association, copartnership or person violating any provision of this act shall forfeit the sum of one thousand dollars for each offense to be sued for and recovered in the name of and by the city of New York for its benefit.

§ 4. All acts or parts of acts inconsistent herewith are hereby repealed.

§ 5. This act shall take effect on the first day of July, nineteen hundred and five.

ELECTRICAL CONDUCTORS AND SUBWAYS.

LAWS 1879, CHAPTER 397.

AN ACT to provide for the laying of telegraph wires under ground.

Section 1. Wires may be run underground.— Any company or companies organized and incorporated under the laws of this

state for the purpose of owning, constructing, using and maintaining a line or lines of electric telegraph within this state or partly within and partly beyond the limits of this state, are hereby authorized, from time to time, to construct and lay lines of electrical conductors underground in any city, village or town within the limits of this state, subject to all the provisions of law in reference to such companies not inconsistent with this act; provided that such company shall, before laying any such line in any city, village or town of this state, first obtain from the common council of cities, the trustees of villages, or the commissioners of highways of towns, permission to use the streets within such city, village or town for the purposes herein set forth. (*As amended by L. 1881, ch. 483.*)

§ 2. Construction of act.— Nothing in this act contained shall be so construed as in any way to limit, alter or affect the provisions or powers relating or granted to telegraph companies heretofore created by special act of the legislature of this state, except in so far as to confer on any such company the right to lay electrical conductors underground; and nothing in section seven of title three of chapter eighteen of part one of the revised statutes shall be so construed as to apply to any telegraph company heretofore incorporated under a special act of the legislature of this state. (*As amended by L. 1881, ch. 483.*)

LAWS 1884, CHAPTER 534.

AN ACT in relation to telegraph and electric light companies in cities of this state.

Section 1. Wires to be placed underground.— All telegraph, telephonic and electric light wires and cables used in any incorporated city of this state, having a population of five hundred thousand or over, shall hereafter be placed under the surface of the streets, lanes and avenues of said city.

§ 2. Removal of poles.— Every corporation, association or person owning or controlling telegraph, telephonic, electric or other wires and cables, including what is known as telegraph poles, and other appurtenances thereto, shall, before the first day of November, eighteen hundred and eighty-five, have the same removed from the surface of all streets or avenues in every such city of this state.

§ 3. Powers of local governments.— In case the owners of the property above enumerated shall fail to comply with the provisions of this act within the time herein specified and limited, the "local governments" of the said cities of this state shall then, and they are hereby directed to, remove, without delay, all telegraph, electric light and such other wires, cables and poles, wherever found above ground, within the corporate limits of their respective cities.

§ 4. Exclusive privileges not to be granted.— No city in this state shall grant any exclusive privilege or franchise under this act to any corporation or individual by which a monopoly may be created or competition prevented on equal terms.

LAWS 1885, CHAPTER 499.

AN ACT providing for placing electrical conductors underground in cities of this state and for commissioners of electrical subway.

Section 1.. Commissioners.— Within twenty days after the passage of this act in any city of this state having according to the last census a population exceeding five hundred thousand and less than one million, the mayor of such city is hereby authorized and directed to appoint, and in cities having a population exceeding one million the mayor, comptroller and commissioner of public works of such cities are hereby authorized and directed to appoint three disinterested persons, residents of the respective cities for which they shall be appointed to be a board of commissioners of electrical subways. Such board shall meet as soon as practicable after such appointment, and shall then organize by the election from their number of a president and a secretary of the board. The board shall give at least ten days' notice, in a daily paper published in such city, of the time and place of such meeting.

§ 2. Duties.— The said board of commissioners is hereby charged with the responsibility of enforcing the provisions of an act entitled "An act in relation to telegraph and electric light companies in cities of this state," passed June fourteenth, eighteen hundred and eighty-four, as amended; and the said act is hereby amended and made to conform in all respects to the provisions of this act, and it is hereby made the duty of said board

of commissioners to cause to be removed from the surface and put, maintained and operated underground wherever practicable all electrical wires or cables used or to be used in the business of any such company in any street, avenue or other highway in any such city, so as to enable and require all duly authorized companies operating or intending to operate electrical conductors in any street, avenue or highway, of any such city as is or shall be affected by the provisions of said act, to transact their business with underground conductors wherever practicable.

§ 3. Maps; approval of plans.— When any company, operating or intending to operate electrical conductors in any such city, shall desire or be required to place its conductors or any of them underground in any of the streets, avenues, or other highway of any such city, and for that purpose to remove the same from the surface thereof, and shall have been duly authorized to do so, it shall be obligatory upon such company to file with said board of commissioners a map or maps, made to scale, showing the streets or avenues or other highways which are desired to be used for such purpose, and giving the general location, dimensions and course of the underground conduits desired to be constructed. Before any such conduits shall be constructed, it shall be necessary to obtain the approval by said board of said plan of construction so proposed by such company; and said board has and shall have power to require that the work of removal and of constructing every such system of underground conductors shall be done according to such plan so approved, subject at all times to such modifications as shall from time to time by the board be made, and subject also to the rules and regulations, not inconsistent herewith, prescribed or to be prescribed by the local authorities having control of such streets, avenues or other highways of such city.

§ 4. Use of subways, etc.— It shall be the duty of said board of commissioners to carefully investigate any and all methods proposed by any such company for electric lighting or electrical communication by the use of conductors along or across any street, avenue or other highway in any such city; and, before approving of any such method, said board of commissioners shall require that, so far as practicable, all such conductors when constructed shall be underground; provided no suitable plan is proposed or in use, within sixty days after the passage of this act, it shall be the duty of such board to cause to be devised and

made ready for use such a general plan as will meet the requirements of said act and of this act, and the board shall have full authority to compel all companies operating electric wires to use such subway so prepared in accordance with the provisions of this act. Wherever in the suburbs or along the streets, avenues or other highways in sparsely inhabited or unoccupied portions of any such city, the public interests do not require the electrical conductors to be placed underground; and wherever, in any other locality of any such city, it is deemed by said board to be, for any cause, impracticable to construct and successfully operate underground the electrical conductors required by any such company; then, and in either of those cases, it shall be the duty of said board of commissioners to examine and grant the application of any such company for permission to deviate therefrom an underground system; but the board shall not grant any such permission unless the board shall be satisfied, upon investigation, that such a permit should, and for one or the other of the reasons hereinbefore stated, be in such case granted and that it will not interfere with the successful working of underground conductors elsewhere in such city. Any such permit shall be held and construed to authorize the construction and maintenance of the lines of conductors therein provided for, as and where prescribed by the board. It is hereby made the duty of said board of commissioners, in granting any such permit for other than underground electrical connections, to bear in mind the policy and purpose of this act, which is to convert the overhead systems of electrical wires and cables now in use in said cities to underground systems as soon as possible without impairing the efficiency of their service to require that, as far as practicable, all electrical conductors in any street, avenue or other highway of any such city shall be removed from the surface and placed and operated underground as soon as may be consistent with the convenient use thereof by the public; and that it is intended hereby to authorize other than underground electrical conductors, to be used in the streets, avenues or other highways of any such city only when and where the public interests do not require the electrical conductors to be placed underground, or when and where it shall be deemed by the board itself to be impracticable to place and operate the conductors advantageously underground as aforesaid; and that it is hereby intended to make all aerial or other electrical connections incidental only to such underground

methods, and to require that they be authorized only when and where needed for the convenient use of the public or where the underground conductors can be made thereby more useful. The work of constructing every line of conductors authorized by any such permit, so granted, shall be subject to the rules and regulations, not inconsistent herewith, prescribed or to be prescribed by the local authorities having control of such streets, avenues and other highways in such city; every such permit shall specify the location of the structures to be erected and to be used for sustaining the electrical conductors, and shall give the general dimensions thereof; and a copy of every such permit shall be filed by said board of commissioners in the office of the mayor of such city to which it relates, and shall be recorded there in a book to be provided and kept for that purpose, which shall be at all times accessible to the public. It shall be the duty of said board in devising the aforesaid plan so to devise the same that the subway may be used by any such city for the electric wires or conductors operated by its police, fire or other departments without expense except the expense of the wires or conductors, but no such city shall be compelled to place any such wires or conductors underground until the money has been specifically raised therefor by the proper authorities and until that time any such city may continue to use and extend such wires in the same manner as though this act and the act referred to in the second section of this act had not been passed.

§ 5. Aerial wires.—Whenever said board of commissioners, in carrying out the provisions of said act, shall permit any aerial electrical wires or cables to be carried along or across and above the surface of any of the streets, avenues or other highways of any such city to be crossed by aerial electrical wires or cables, it shall be the duty of the board to designate also, in such permit, the route and location thereof, and to prescribe and regulate the height at which such wires or cables shall be placed, and it is hereby expressly provided that when any such permit shall be granted by said board of commissioners, in extending the connections of any subterranean electrical conductors for the erection of any structure or structures for sustaining electrical conductors above the surface of any highway, or for placing wires or cables on any such structure or elsewhere than underground, or for carrying any such wires or cables across or along and above the surface of any highway, or for placing wires or cables on any

such structure or elsewhere than underground, or for carrying any such wires or cables across or along or above the surface of any highway, or over or into or in the rear of any building or block in any such city, any and all such structures and any and all such wires or cables, shall be so erected and maintained as not to incommode the other public uses of such streets, avenues or other highways.

§ 6. Terms; removals; vacancies.—The term of office of said commissioners shall expire on the first day of November, eighteen hundred and eighty-seven, or sooner upon the performance of their functions, as herein prescribed. Each of the commissioners so to be appointed, and each of his successors in office, is and shall be removable for cause, but only upon notice and after an opportunity to be heard, by the governor of this state, who has and shall have power to fill any and all vacancies, however caused, in the office of either of the commissioners hereabove named.

§ 7. Salaries and expenses; assessment on companies.—The salary of each of said commissioners, and every successor of either of them, if appointed for either of such cities having a population of more than one million, shall be five thousand dollars per annum, and if appointed for either of such cities having a population of less than one million, shall be three thousand dollars per annum, payable quarterly by the comptroller of this state, who shall also audit and pay quarterly all necessary and incidental expenses of each of such boards of commissioners. The amount of such salaries and expenses shall, in such proportion as is prescribed in section eight of this act, be by the comptroller assessed upon and collected from the several companies operating electrical conductors in any such city of the state, which, under the provisions of this act, are or shall be required to place and operate any of their conductors underground, and shall be paid into the treasury of the state in such installments as the comptroller shall require. (*As amended by L. 1886, ch. 503.*)

§ 8. Apportionment.—It shall be the duty of every such company to furnish the comptroller, from time to time, as, and when requested, all data by him desired to enable him to apportion the relative share to be paid by each such company, of the expenses of said boards, and of the salaries of said commissioners; such apportionment to be by the comptroller made with reference to the number of miles of wires operated within the limits of any such city, and the several companies which are or shall be re-

quired, under the provisions of this act, to place and operate any of the conductors underground shall be by the comptroller assessed ratably according to the number of miles of such wires, which the comptroller shall certify to be operated by them respectively; and the said commissioners shall furnish the comptroller with a list of such companies. Whenever any such company shall neglect or refuse to furnish such data within twenty days after being so requested by the comptroller, the comptroller is hereby authorized to determine from the best information he shall be able to obtain, and to certify the number of miles of wire so operated. (*As amended by L. 1886, ch. 503.*)

§ 9. Maps, etc., to be filed.—All maps, books and papers of said board of commissioners relative to electrical conductors in any such city shall, at the expiration of the term of office of such commissioners, be filed in the office of the mayor of such city and shall be there kept at all times accessible to the public.

§ 11. Compelling payment of assessments.—Whenever any company shall neglect or refuse to pay the assessment made upon such company pursuant to the provisions of this act, within thirty days after being notified by the comptroller of the amount thereof, it shall be lawful for the comptroller to issue his warrant or warrants under his hand and seal of office, directed to the sheriff of any county in this state, commanding him to levy upon and sell the goods and chattels, lands and tenements of the said company found within the said county for the payment of the amount of said assessment together with interest thereon and costs of executing such warrant, and to return the said warrant to the comptroller, and pay to the state treasurer the money which shall be collected by virtue thereof, by a certain time therein to be specified, not less than sixty days from the date of such warrant. Such warrant shall be a lien upon, and shall bind the personal estate of the company against which it shall be issued from the time an actual levy shall be made by virtue thereof, and the sheriff to whom such warrant shall be directed, shall proceed upon the same in all respects with the like effect and in the same manner as prescribed by law in respect to executions issued against property upon judgments rendered by a court of record, and shall be entitled to the same fees and costs for his services in executing the same, to be collected in the same manner. (*As amended by L. 1886, ch. 503.*)

§ 12. Continuance of term of commissioners.— In cities having a population, according to the last census, of more than five hundred thousand and less than one million, the terms of office of the commissioners holding the same November first, eighteen hundred and eighty-seven, shall continue until November first, eighteen hundred and eighty-nine, unless their functions shall have been sooner performed.

LAWS 1887, CHAPTER 716.

AN ACT in relation to electrical conductors in the city of New York.

§ 1. Board of electrical control.— From and after the passage of this act and until the first day of November, eighteen hundred and ninety-one, the board of commissioners of electrical subways in and for the city and county of New York, heretofore appointed under authority of the act chapter four hundred and ninety-nine of the laws of eighteen hundred and eighty-five, together with the mayor of said city, for the time being, are hereby constituted the board of electrical control in and for the city of New York. Each of the said commissioners (except the said mayor) and each of his said successors in office, is and shall be removable for cause, but only upon notice and after an opportunity to be heard by the governor of this state, who shall have power to fill any and all vacancies, however caused, in the office of either of the commissioners hereinbefore named (except the mayor). The salary of each of the said commissioners (except the mayor), and of their successors, or either of them, shall be five thousand dollars per annum, payable as provided by the said act as amended by the act chapter five hundred and three of the laws of eighteen hundred and eighty-six, passed May twenty-nine, eighteen hundred and eighty-six. All the powers and duties conferred or imposed by the said act chapter four hundred and ninety-nine of the laws of eighteen hundred and eighty-five, upon the commissioners appointed thereunder in and for the city of New York, and all the powers and duties heretofore by any law conferred or imposed upon the local authorities of said city, or any of them, in respect to or affecting the placing, erecting, construction, suspension, maintenance, use, regulation or control of electrical conductors or conduits or subways for electrical conductors in said city are

hereby transferred to and conferred and imposed upon, and shall hereafter be exclusively exercised and performed by the said board of electrical control, constituted as provided in this act, and its successors as hereinafter provided. (*As amended by L. 1890, ch. 550.*)

§ 2. Books and papers.—The board of commissioners of electrical subways in and for the city of New York, appointed under authority of the act chapter four hundred and ninety-nine of the laws of eighteen hundred and eighty-five, are hereby required and directed to turn over and deliver to the said board hereinbefore constituted, within ten days after the passage of this act, all maps, plans, models, books and papers relating to the construction and location of electrical conductors, conduits or subways filed with or communicated to said commissioners and all of their official papers of any kind.

§ 3. Removal of wires, etc.—Whenever, in the opinion of the board hereinbefore constituted, in any street or locality of said city a sufficient construction of conduits or subways underground shall be made ready under the provisions of this act, reference being had to the general direction and vicinity of the electrical conductors then in use overhead, the said board shall notify the owners or operators of the electrical conductors above ground in such street or locality to make such electrical connections in said street or through other streets, localities or parts of the city with such underground conduits or subways so specified as shall be determined by the said board, and to remove poles, wires or other electrical conductors above ground and their supporting fixtures or other devices from said street and locality within ninety days after notice to such effect shall be given. This provision is made a police regulation in and for the city of New York, and in case the several owners or operators of such wires and the owners of such poles, fixtures or devices, shall not cause them to be removed from such street or locality as required by such notice; it shall be the duty of the commissioner of public works of said city to cause the same to be removed forthwith by the bureau of incumbrances upon the written order of the mayor of said city to that effect.

§ 4. Placing wires, etc., underground.—It shall be unlawful after the passage of this act for any corporation or individual, to take up the pavements of the streets of said city, or to excavate in any of said streets for the purpose of laying underground

any electrical conductors unless a permit, in writing therefor, shall have been first obtained from the said board, or its predecessor, and except with such permission, no electrical conductors, poles or other figures or devices therefor, nor any wires, shall hereafter be continued, constructed, erected or maintained or strung above ground in any part of said city. The said board of electrical control may establish, and from time to time may alter, add to or amend all proper and necessary rules, regulations and provisions for the manner of use and management of the electrical conductors, and of the conduits or subways therefor constructed or contemplated under the provisions of this act, or of any act herein mentioned.

§ 5. Duties of board; when to vest in sinking fund commissioners.—From and after the first day of November, eighteen hundred and ninety, all rights, powers and duties vested or existing in the said board of electrical control by this act created, or in the board of commissioners of electrical subways, heretofore existing in said city, shall vest in and shall thereafter be held and exercised by the commissioners of the sinking fund in the city of New York.

§ 6. Agreements with certain corporations confirmed.—The agreement made by and between the commissioners of electrical subways for the city of New York and the consolidated telegraph and electrical subway company (a corporation duly organized and existing under the laws of this state) under date of July twenty-seventh, eighteen hundred and eighty-six, when and as amended and modified by a second and further contract or agreement between the said parties, dated the seventh day of April, eighteen hundred eighty-seven, is hereby ratified and confirmed, subject, however, to all the provisions of this act. But if at any time or for any reason the said agreement so amended shall be or become inoperative or ineffectual for the accomplishment of its just purpose and the purposes of this act, or if the said company shall be unable, or after reasonable notice and opportunity given by the said board or its successors, it shall fail or decline to comply with or carry into effect the said agreement in all its terms, then in such event the said board or its successors may, with the approval of the mayor and the counsel to the corporation of the city of New York, make such new, further or different contracts with the same or other parties as may be reasonable or necessary to carry into effect the provisions and intent of this act.

§ 7. Power of certain judges to enforce acts or agreements.—In case, and whenever it shall be made to appear to the satisfaction of any of the justices of the supreme court, or any judge of the court of the common pleas in and for the city and county of New York, or any judge of the superior court of the city of New York, or to the satisfaction of either of said courts, that the said board constituted by this act or its successors, or any officer or agent of said board or its successors, or the said The Consolidated Telegraph and Electrical Subway Company or any corporation or persons claiming under the said board or its successors, or under the said company, shall have violated or shall have failed to observe and fully perform or to carry into full effect all or any of the provisions of this act or of either of the acts hereinbefore mentioned or of the said agreement, or shall have failed to furnish just and equal facilities under this act or the said agreement, to any and all corporations lawfully competent to manufacture, use or supply electricity, or to operate electrical conductors in any street, avenue or highway in the city of New York, applying for such facilities upon terms that to the court shall appear just and reasonable, then and in every such case said judge or justice or court may, by proper proceedings in the nature of a writ of mandamus or by mandamus, enforce the provisions of this act or of the acts before mentioned, or of the said agreement or of any agreement made under the said acts, or compel the granting of such facilities, or may grant such relief as may be proper in the premises. And the said board or its successors, or the mayor, aldermen and commonalty of the city of New York, or any person, company or corporation aggrieved by any such violation or failure as aforesaid, shall be entitled to institute and maintain such proceedings as are by this section authorized.

§ 8. Purchase of subways for city, authorized after January one, eighteen hundred and ninety-seven.—At any time after the first day of January, eighteen hundred and ninety-seven, if the commissioners of the sinking fund in said city may deem it advisable so to do, they may purchase the subways then constructed by said company, and the contracts and other property held or owned by said company, for any of the purpose* of its incorporation; such purchase to be for and in the name of the mayor, aldermen and commonalty of the city of New York, at such price not to exceed the actual cost of the property so purchased, with ten per cent. added to such cost, as may be or

* So in original.

may have been agreed upon between the said company and the said commissioners or their successors. The payment therefor shall be made within four months after the delivery to the comptroller of said city, of good and sufficient and duly executed instrument or instruments of conveyance or transfer to the said mayor, aldermen and commonalty of the said city, such transfer, however, to be subject to any valid liens then thereon outstanding, not exceeding fifty per cent. on the actual cost of such subways, and subject to all leases or contracts for the use of such subways then existing. In order to raise the money necessary to pay for said property so purchased, the comptroller of said city shall issue bonds of said city upon such terms as to rate of interest and time of payment as he shall be directed by said commissioners of the sinking fund to issue.

LAWS 1892, CHAPTER 454.

AN ACT relating to underground electrical conductors and electrical subways in cities of this state having according to the last census a population exceeding half a million and less than one million.

Section 1. Commissioners.—Within twenty days after the passage of this act, in every city of this state according to the last census having a population exceeding half a million and less than one million, the mayor of said city is hereby authorized to appoint two disinterested persons who shall be residents of such city to be the commissioners of electrical subways; such persons shall qualify by taking the constitutional oath of office. The said commissioners are hereby authorized to appoint such officers and subordinates as they may deem necessary.

§ 2. Powers and duties.—The said commissioners shall have and possess the same power and authority, and in each and every respect be subject to the same duties as in and by an act providing for placing electrical conductors underground in the cities of this state, and for commissioners of electrical subways, passed June thirteenth, eighteen hundred and eighty-five, were held or possessed by and imposed upon the commissioners provided for by said act in cities having the population hereinbefore prescribed. The term of office of such commissioners shall expire on the first day of November, eighteen hundred and ninety-six, and from and

after said time the powers and duties of said commissioners shall in each of such cities devolve upon and be vested in the mayor of such city, and the commissioner of city works, or in place of the commissioner of city works in such other local officer having the charge of the streets and highways of such city.

§ 3. Salary and expenses.—The salary of each of said commissioners shall be three thousand dollars per annum, payable monthly, which, with all necessary and incidental expenses of the commissioners, shall be paid by the comptroller of this state and collected from the several companies operating the conductors in the manner prescribed in and by section seven of the aforesaid act, passed June thirteenth, eighteen hundred and eighty-five.

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